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ACTS

OF THE

STATE OF TENNESSEE,

PASSED BY THE

FORTY-FIFTH GENERAL ASSEMBLY,

1887.

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PUBLISHED BY AUTHORITY.

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1887.

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PUBLIC ACTS  
OF THE  
Forty-fifth General Assembly  
OF THE  
STATE OF TENNESSEE.

*Which was begun and held at Nashville, on the First  
Monday in January, in the year of our LORD  
One Thousand Eight Hundred  
and Eighty-seven.*

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### CHAPTER 1.

AN ACT to provide Revenue for the State of Tennessee, and the  
counties thereof.

SECTION 1. *Be it enacted by the General Assembly of State tax.  
the State of Tennessee, That the State tax on every one  
hundred dollars' worth of taxable property shall be  
forty-five cents for the year 1887, and for every sub-  
sequent year thereafter; thirty cents of which shall  
be for State purposes, and fifteen (15) cents for school  
purposes.*

SEC. 2. *Be it further enacted, That the several County tax.  
County Courts of this State be, and they are hereby,  
authorized and empowered to levy an annual county  
tax on every one hundred dollars' worth of taxable  
property, not exceeding the State tax, and exclusive  
of the tax for public roads and schools, and interest  
on county debts, and other special purposes; Pro-  
vided, That no county in this State shall levy more  
than one privilege tax on merchants, and that not  
more in the aggregate than the privilege tax levied  
by the State.*

**Merchants' tax.** SEC. 3. *Be it further enacted*, That all merchants shall pay *ad valorem* tax upon the average capital invested by them of forty-five cents on each one hundred dollars; thirty cents of which shall be for State purposes, and fifteen cents for school purposes, and a privilege tax of thirty cents on each one hundred dollars' worth of taxable property, ten cents of which shall be for school purposes and twenty cents for State purposes; *Provided*, That such privilege tax, without regard to the length of time they do business, shall in no case be less than five dollars, which five dollars is to be paid when the license is taken out, and in case of those whose privilege tax amounts to more than five dollars, the five dollars paid shall be a credit when the balance of the tax is paid.

**Rate of taxation.**

SEC. 4. *Be it further enacted*, That the rate of taxation on the following privileges shall be as follows (per annum). Where the population is referred to it shall be controlled by and referred to the Federal census of 1880:

#### ARTISTS AND PHOTOGRAPHERS.

<b>Artists and photographers.</b>		
In cities, towns, and taxing districts of over 10,000 inhabitants, each, per annum.....		\$ 50 00
In cities, towns, and taxing districts of 5,000 to 10,000 inhabitants, each, per annum...		25 00
In cities, towns, and taxing districts of 3,000 to 5,000 inhabitants, each, per annum....		15 00
In cities, towns, and taxing districts of 1,000 to 3,000 inhabitants, each, per annum....		10 00
In cities, towns, and taxing districts of 1,000 inhabitants, each, per annum.....		6 00
In counties outside of incorporated cities, towns, or taxing districts.....		5 00
Persons (other than artists and photographers of this State) soliciting pictures to be enlarged outside of this State, each, per num.....		10 00

#### ARCHITECTS, CIVIL AND MINING ENGINEERS.

<b>Architects, civil and mining engineers.</b>		
Architects and civil and mining engineers..		25 00

#### AUCTIONEERS.

<b>Auctioneers.</b>		
In cities, taxing districts, or towns of 40,000 inhabitants or over, each, per annum.....		50 00

In cities, taxing districts, or towns of 30,000 to 40,000 inhabitants, each, per annum...	\$40 00
In cities, taxing districts, or towns of 20,000 to 30,000 inhabitants, each, per annum...	35 00
In cities, taxing districts, or towns of 10,000 to 20,000 inhabitants, each, per annum...	25 00
In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, each, per annum...	15 00
In cities, taxing districts, or towns of less than 5,000 inhabitants, each, per annum..	10 00

AUCTION AND COMMISSION MERCHANTS.

The same as charged other merchants.

Auction and  
commission  
merchants.

BANKS AND BANKING, AND INSURANCE COMPANIES DOING  
BANKING BUSINESS.

In cities, taxing districts, or towns of 40,000 inhabitants, or over, each, per annum.....	\$600 00	Banks and banking, and insurance com- panies doing banking busi- ness.
In cities, taxing districts, or towns of 30,000 to 40,000 inhabitants, each, per annum...	500 00	
In cities, taxing districts, or towns of 20,000 to 30,000 inhabitants, each, per annum...	350 00	
In cities, taxing districts, or towns of 10,000 to 20,000 inhabitants, each, per annum...	250 00	
In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants each, per annum....	150 00	
In cities, taxing districts, or towns of 5,000 inhabitants and under, each, per annum..	100 00	

BREWERS.

In counties of 60,000 inhabitants, or over, each, per annum.....	150 00	Brewers.
In counties of less than 60,000 inhabitants, each, per annum.....	100 00	

BROKERS.

(Other than real estate or merchandise, and paying Brokers.  
tax as bankers.)

In cities, taxing districts, or towns of 20,000 inhabitants, or over, each, per annum.....	\$300 00
In cities, taxing districts, or towns of 10,000 to 20,000 inhabitants, each, per annum...	200 00
In cities, taxing districts, or towns of less than 10,000 inhabitants, each, per annum..	100 00

REAL ESTATE BROKERS AND AGENTS.

Real estate  
brokers and  
agents.

\$25.00 and one per cent. on commissions, and they shall file a bond as required of merchants.

LAND STOCK COMPANIES.

Land stock  
companies.

Shall pay a tax of \$25.00 and one per cent. per annum on all their commissions made, and shall be required to make quarterly reports to the County Court Clerk of the amount of sales made.

BILL POSTERS.

Bill posters. In cities, taxing districts, or towns of 15,000 inhabitants, or over, each, per annum..... \$40 00

BUTCHERS.

Butchers. This includes all offices, stalls, and stores for the sale of fresh meat at retail.

In cities, taxing districts, or towns (or adjacent thereto) of 20,000 inhabitants, or over, each, per annum..... \$50 00

In cities, taxing districts, or towns (or adjacent thereto) of 10,000 to 20,000 inhabitants, each, per annum .....

30 00

In cities, taxing districts, or towns (or adjacent thereto) of 5,000 to 10,000 inhabitants, each, per annum .....

20 00

In cities, taxing districts, or towns (or adjacent thereto) of 1,000 to 5,000 inhabitants, each, per annum .....

10 00

No tax to be collected from butchers in towns of population of less than 1,000; *Provided*, That nothing in this section shall be construed to include farmers or producers who may sell their own products at wholesale or retail.

BOARDING HOUSES.

Boarding  
houses.

Kept for transient customers.

In cities, taxing districts, or towns of 20,000 inhabitants, or over, each room, per annum..... \$2 00

In cities, taxing districts, or towns of 5,000 to 20,000 inhabitants, each room, per annum.....	\$1 50
In cities, taxing districts, or towns of 2,000 to 5,000 inhabitants, each room, per annum.....	1 00
In cities, taxing districts, or towns of less than 2,000 inhabitants, each room, per annum .....	50

BILLIARDS.

See games.

Billiards.

CIGAR STANDS.

Charged as other merchants.

Cigar stands.

COTTON SEED OIL MILLS.

Shall pay on 2 press mill, per annum.....	20 00	Cotton seed oil mills.
Shall pay on 4 press mill, per annum.....	40 00	
Shall pay on 5 press mill, per annum.....	75 00	
Shall pay on 6 press mill, per annum.....	150 00	
Shall pay on 7 press mill, per annum.....	225 00	
Shall pay on 8 press mill, per annum.....	300 00	
Shall pay on 9 press mill, per annum.....	350 00	
Shall pay on 10 press mill, or over, per annum.....	500 00	

COTTON COMPRESSES.

Tax as other property, and compresses pressing one bale and under 20,000 bales, per annum.....	75 00	Cotton compresses.
20,000 and under 50,000 bales, per annum..	100 00	
50,000 and under 100,000 bales, per annum	150 00	
100,000 and under 200,000 bales, per annum	200 00	

And an increase in tax in proportion as the number of bales increases above 200,000 bales.

COMMERCIAL, MERCANTILE, OR MUTUAL PROTECTIVE AGENCIES.

In cities, taxing districts, or towns of 20,000 inhabitants, or over, on each office, per annum.....	\$150 00	Commercial, mercantile, or mutual protective agencies.
In cities, taxing districts, or towns under 20,000 inhabitants, on each office, per annum.....	100 00	Google

COUNTY CERTIFICATES OR WARRANTS.

County certificates or warrants.	Dealers in not paying tax as bankers or brokers.	
	In cities, taxing districts, or towns of 20,000 to 40,000 inhabitants, or over, each, per annum.....	\$100 00
	In cities, taxing districts, or towns of 20,000 to 40,000 inhabitants, each, per annum.....	50 00
	In cities, taxing districts, or towns of 5,000 to 20,000 inhabitants, each, per annum.....	25 00
	In cities, taxing districts, or towns of less than 5,000 inhabitants, each, per annum.....	12 50

CIRCUSES AND EXHIBITIONS.

Circuses and exhibitions.	Circuses or exhibitions given by any portion of a circus, whether horses are used or not, each day and night, or day or night, each.....	150 00
	Menageries, each day and night, each.....	150 00
	Circuses and menageries combined, each day and night, or day or night, each.....	150 00
	Side shows and other shows and concerts in connection with above, taxed separately under their appropriate heads if they charge a separate or additional entrance fee; sleight of hand and legerdemain, each day and night, or day or night, each.....	10 00
	Other exhibitions for profit (except circuses, menageries, theatres, etc.), except exhibitions purely for charitable purposes and those given by amateurs or home troupes, each day and night, or day or night, each	10 00
	Per month.....	50 00

COAL AND COKE AGENCIES OR DEALERS.

Coal and coke agencies or dealers.	In towns, cities, or taxing districts of 30,000 inhabitants, or over, each person, firm, agency, or corporation in each county, per annum .....	\$50 00
	In towns, cities, or taxing districts of over 5,000 and up to 30,000 inhabitants, each person, firm, agency, or corporation in each county, per annum.....	25 00

In towns, cities, or taxing districts of less than 5,000 inhabitants..... Nothing

COAL OIL AND ILLUMINATING OIL COMPANIES.

Companies, persons, agencies, or firms selling coal or illuminating oils to the trade, or otherwise, manufactured in this State, or elsewhere, in counties including cities, taxing districts, or towns of 40,000 inhabitants, or over, each, per annum..... \$1,000 00 Coal oil and illuminating oil companies.

In counties including cities, towns, or taxing districts from 20,000 to 40,000 inhabitants, each, per annum..... 500 00

In counties including cities, towns, or taxing districts from 10,000 to 20,000 inhabitants, each, per annum..... 200 00

In counties including cities, towns, or taxing districts from 5,000 to 10,000 inhabitants, each, per annum..... 100 00

In counties containing cities, towns, or taxing districts of 1,000 to 5,000 inhabitants, each, per annum..... 50 00

In counties containing cities, towns, or taxing districts of less than 1,000 inhabitants..... Nothing

*Provided, That this clause shall not apply to merchants, etc., and retail dealers selling to consumers only; And provided further, It shall not apply to manufacturing firms, corporations, or their representatives, now engaged in the manufacturing of oils, greases, and lubricants, or local manufacturing enterprises in this State.*

DISTILLERS OF WHISKY AND BRANDY.

Distilleries with a capacity of 30 barrels and over, per day, per annum..... \$150 00 Distillers of whisky and brandy.

Distilleries with a capacity of from 20 to 30 barrels, per day, per annum..... \$100 00

Distilleries with a capacity of from 10 to 20 barrels per day, per annum..... 75 00

Distilleries with a capacity of from 5 to 10 barrels per day, per annum..... 50 00

Distilleries with a capacity of from 2 to 5 barrels per day, per annum..... 5 00

Distillers who manufacture for their own use, and those who sell to consumers, and have paid the State tax levied on wholesale liquor dealers, shall not be required to pay this tax: *Provided*, Said distilleries shall be in operation.

EATING HOUSES.

**Eating houses.** All public eating houses, except for religious or charitable purposes, each, per annum..... \$5 00

ELECTRIC LIGHT COMPANIES.

**Electric light companies.** Electric light companies shall be taxed at \$1.00 per arc light, per annum, to be paid by the company.

FREES.

**Fees.** All parties, banking associations, or brokers, or their agents, buying, or attempting to buy, the fees of any officer or witness accruing in any of the courts of this State, shall pay tax as follows:

In counties of 40,000 inhabitants or over,  
each, per annum..... \$500 00  
In counties of less than 40,000 inhabitants,  
each, per annum..... 800 00

FERRIES.

**Ferries.** Except those run by hand, with oars, when the landings in this State are at or within five miles of taxing districts, cities, or towns:

Cities, towns, or taxing districts of 10,000 inhabitants or over, each, per annum..... \$50 00  
At or within five miles of cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, each, per annum..... 30 00  
At or within five miles of cities, taxing districts, or towns of 1,000 to 5,000 inhabitants, each, per annum..... 20 00  
At or within five miles of cities, taxing districts, or towns of less than 1,000 inhabitants, each, per annum..... \$15 00

All ferries taxable under this Act, more than five miles from a town, city, or taxing district..... 10 00

**FRUIT STANDS.**

Taxed as other merchants. Fruit stands.

**FUTURES.**

Each person, firm, company, or corporation dealing therein, and each branch or agency of each firm, company, or corporation, per annum..... 1,000 00 Futures.

**GAS COMPANIES.**

In cities, taxing districts, or towns of 40,000 inhabitants or over, per annum.....	600 00 Gas companies.
In cities, taxing districts, or towns of 20,000 to 40,000 inhabitants, per annum.....	500 00
In cities, taxing districts, or towns of 10,000 to 20,000 inhabitants, per annum.....	200 00
In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, per annum.....	100 00
In cities, taxing districts, or towns of 500 and less than 5,000 inhabitants, per annum.....	25 00

**GAMES.**

Billiard tables, pool tables, flying jennies, bagatelle tables, Jenny Lind tables, and ten-pin alleys, roller coasters, on each, in cities, taxing districts, or towns of 20,000 inhabitants or over, each, per annum.....	\$30 00 Games.
In cities, taxing districts, or towns from 10,000 to 20,000 inhabitants, each, per annum.....	25 00
In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, each, per annum...	20 00
In cities, taxing districts, or towns of 2,000 to 5,000 inhabitants, each, per annum....	15 00
In cities, taxing districts, or towns of less than 2,000 inhabitants, each per annum...	10 00
In counties outside of towns, cities, and districts, each, per annum.....	10 00

All devices used by persons as a source of profit to themselves, such as throwing balls at wooden figures, or any other object, throwing rings, or any other device of like nature..... \$10 00

And said tax shall be paid by every saloon-keeper or other person who keeps any of the above in connection with his or her business, and for the use of the public, whether the same is charged for or not.

HOTELS AND TAVERNS.

Hotels and taverns. Each room, except two, per annum..... \$2 00

Hotels kept at places for summer resort to be taxed as other hotels, but may be paid monthly.

HUCKSTERS.

Hucksters. Taxed as other merchants.

Persons who travel around their counties collecting up marketing, chickens, butter, eggs, rags, fruits, etc., and such things as they carry to market, are not subject to a tax either as hucksters or peddlers.

ICE—DEALERS IN.

Ice, dealers in. Each person, or firm, or corporation, selling imported or home ice to the trade—  
In cities, taxing districts, or towns of 40,000 inhabitants or over, per annum..... \$100 00  
In cities, taxing districts, or towns of 20,000 to 40,000 inhabitants, per annum ..... 75 00  
In cities, taxing districts, or towns of 10,000 to 20,000 inhabitants, per annum..... 50 00  
In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, per annum..... 30 00  
In cities, taxing districts, or towns of 2,000 and less than 5,000 inhabitants, per annum..... 20 00  
In cities, taxing districts, or towns of 1,000 and less than 2,000 inhabitants, per annum..... 5 00  
Each person or firm retailing or selling ice from any car running upon any railroad in this State (in lieu of all other taxes) to be paid in any county in the State through which the car runs, and in which such sale or sales may be made..... 50 00

Retail ice dealers running wagons in connection with their business (but in towns of less than 1,000 inhabitants, no tax shall be charged to retail dealers in ice)..... \$10 00

INSURANCE AGENTS.

Each agent of mutual or assessment insurance companies, fire, accident, or life, in each county in which they do business, per annum, to be collected by the County Court Clerk..... 10 00 Insurance agents.

But nothing in this Act shall be construed so as to levy a tax upon insurance agents who are legally licensed to do business by the Insurance Commissioner

ITINERANTS.

All persons, whether physicians or not, either selling medicines or advertising their services, or both, by appearing on the streets, or elsewhere, and making harangues for the purpose of advertising as aforesaid, in each county, per annum.. \$100 00 Itinerants.

INTELLIGENCE OFFICES.

Keepers of each, per annum..... 40 00 Intelligence offices.

LIGHTNING-ROD DEALERS.

Each, per annum, in each county in which they do business..... 100 00 Lightning-rod dealers.

LIVERY AND FEED STABLES.

On each stall, per annum..... 1 00 Livery and feed stables.

LIQUOR DEALERS.

Wholesale, each, per annum, and in addition taxed as other merchants.....

200 00 Liquor dealers.

Retail, taxed as other merchants, and in addition shall pay as follows:

200 00

In cities, taxing districts, or towns of 5,000 inhabitants or over, per annum.....

150 00

At any place not a city, taxing district, or town, or any city, taxing district, or town of less than 5,000 inhabitants, per annum,

Persons selling liquor in quantities of a quart or more, except manufacturers who sell to be sold again, are wholesale dealers, and persons selling in smaller quantities,

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quantities than a quart are retail dealers; and the above tax on liquor dealers applies to all druggists, except in case of wine for sacramental purposes and alcohol for domestic purposes. Persons keeping a bar on steamboats, flatboats, or other vessels or water crafts, shall pay a tax of \$800 per annum in lieu of all other taxes, to be paid in any county they may elect.

LITIGATION.

Litigation.

Each suit in law or equity, including applications for partition, to be paid by the unsuccessful party, except in case of partition.....	\$2 50
Each indictment or presentment.....	5 00
Each appeal to Supreme Court in criminal cases, if defendant is unsuccessful .....	7 50
Each appeal on writ of error or <i>certiorari</i> from a Circuit or Chancery Court to Supreme Court.....	5 00
Each appeal or <i>certiorari</i> from a Justice of the Peace .....	2 00
Each case submitted under the small offense law .....	2 00
Each case before a Mayor or Recorder's Court, or before any Police Court having jurisdiction of offenses in any taxing district in the State, provided such tax can be collected in money .....	1 00
(And said officer collecting said tax on litigation, and in said causes, and under the small offense act, and the officer holding the Police Court in the towns and cities in the taxing districts of this State, shall report the amount collected by them every ninety days, and pay the same over to the Clerk of the County Court, taking duplicate receipts, one of which shall, without delay, be forwarded to the Comptroller.) No tax shall be paid on application for dower or homestead, and no tax on applications of guardians to sell property for maintenance of wards or to entrench on property of wards, and no tax on suits brought by State, county, or municipalities to collect taxes.	

LUMBER DEALERS.

Lumber dealers.

Lumber dealers who buy and sell sawed lumber, and dealers in saw-logs and staves, must pay privilege and *ad valorem* tax as merchants.

MARRIAGE LICENSE.

Each (for school purposes, and the tax to be kept in the county) ..... \$1 00 Marriage license.

PEDDLERS.

(Buying or selling for profit, or both.)  
If on foot, in each county, each, per annum, 10 00 Peddlers.  
If with horse or vehicle, in each county, each, per annum..... 20 00  
If with more than one horse, for each additional horse, in each county, each, per annum ..... 8 00  
Of patent medicines and nostrums, if on foot or horse, in each county, each, per annum ..... 40 00  
Of patent medicines and nostrums, if with horse and wagon, in each county, each, per annum ..... 100 00

PARKS.

Public parks (where visitors are charged an admission fee), each, per annum..... 100 00 Parks.  
Base-ball parks (where an admission fee is charged), per annum..... 150 00

POOL SELLING.

Each person, company, firm, or corporation engaged therein, each, per annum ..... 300 00 Pool selling.

PAWN-BROKERS.

In cities, towns, or taxing districts of 40,000 inhabitants, or over, each, per annum.... 100 00 Pawn-brokers.  
In cities, towns, or taxing districts of 30,000 to 40,000 inhabitants, each, per annum ..... 80 00  
In cities, towns, or taxing districts of 20,000 to 30,000 inhabitants, each, per annum ..... 70 00  
In cities, towns, or taxing districts of 10,000 to 20,000 inhabitants, each, per annum ..... 50 00  
In cities, towns, or taxing districts of 5,000 to 10,000 inhabitants, each, per annum... 30 00  
In cities, towns, or taxing districts under 5,000 inhabitants, each, per annum..... 20 00

In counties not in towns, cities, or taxing districts.....	\$20 00
And in addition they shall pay a tax as other merchants.	

PLUMBERS AND GAS FITTERS.

Plumbers and gas fitters.	Charged as merchants.
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RACE-TRACKS.

Race-tracks.	Tracks of one mile or more, each, per annum .....	\$200 00
	Tracks of half mile, each, per annum.....	150 00
	Tracks of quarter mile, each, per annum...	100 00
	Book-makers on horse-races, each agent, firm, or person, corporation, or firms in each county, each, per annum.....	25 00

RAILROAD TICKET AGENTS AND SCALPERS.

Railroad ticket agents and scalpers.	Except agents actually on line of railroad.	
	In cities, towns, and taxing districts of over 20,000, per annum .....	50 00
	In cities, towns, and taxing districts under 20,000, and in counties, per annum.....	20 00

RESTAURANTS.

Restaurants.	Same as hotels on each room, and in addition as follows:	
	In cities, taxing districts, or towns of 20,000 inhabitants, or over, each, per annum	\$50 00
	In cities, taxing districts, or towns of 10,000 to 20,000 inhabitants, each, per annum .....	40 00
	In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, each, per annum...	25 00
	In cities, taxing districts, or towns of 2,000 to 5,000 inhabitants, each, per annum.....	15 00
	In cities, taxing districts, or towns of less than 2,000 inhabitants, each, per annum,	10 00
	In counties not in towns, cities, or taxing or taxing districts.....	10 00

SAMPLE SELLERS.

Sample sellers.	Persons selling goods to consumers by sample, or taking orders from consumers by sample, or taking measures, in each county, each, per annum.....	10 00
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SECURITIES.

Dealers in (other than brokers or bankers).

In cities, towns, or taxing districts of 20,000 inhabitants or over, each, three cents on each dollar employed, but in no instance to be less than, per annum.....

\$50 00 Securities.

In cities, towns, or taxing districts under 20,000 inhabitants, and in counties not in cities, towns, or taxing districts, one and one-half cents on each dollar employed, but in no instance less than, per annum ..

20 00

SELLING FRUIT TREES AND SHRUBBERY.

Each person, company, or firm, selling fruit trees or shrubbery, for each agent, in each county, per annum.....

10 00 Selling fruit trees and shrubbery.

SELLERS OF GOODS AT PUBLIC OUTCRY.

(Other than auctioneers.)

Each person, or firm, in each county, per annum ..

15 00 Sellers of goods at public outcry

STOCKS AND BONDS.

Dealers in (other than brokers and bankers).

Stocks and bonds.

Tax same as dealers in securities.

SHAVING NOTES.

Taxed same as dealers in securities and stocks and bonds.

Shaving notes.

STREET-CAR COMPANIES.

In cities, towns, or taxing districts of 20,000 inhabitants, or over, each, per annum.....

\$350 00 Street-car companies.

In cities, towns, or taxing districts of less than 20,000, or over 10,000 inhabitants, each, per annum.....

150 00

In cities, towns, or taxing districts of under 10,000 inhabitants, each, per annum.....

50 00

SEWING MACHINES—DEALERS IN OR AGENTS.

Selling sewing machines, either directly or by sample, in counties of 40,000 inhabitants, or over, in each county, each agent and dealer, per annum.....

\$20 00 Sewing machines, dealers in or agents.

Selling sewing machines, either directly or by sample, in counties of under 40,000 inhabitants, in each county, each, per annum ..

(Merchants selling sewing machines upon which they pay a tax as on other merchandise, not to pay the tax required of sellers by sample; *Provided*, They sell the same in any one established business place.)

SKATING RINKS.

Skating rinks.	In cities, taxing districts, or towns of 20,000 inhabitants or over, each, per annum	\$150 00
	In cities, taxing districts, or towns of 10,000 to 20,000 inhabitants, each, per annum.....	75 00
	In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, each, per annum...	40 00
	In cities, taxing districts, or towns of less than 5,000 inhabitants, each, per annum..	20 00
	In counties not in cities, towns, or taxing districts .....	40 00

SALE STABLES.

Sale stables.	Each stall, per annum.....	1 00
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SHOOTING-GALLERIES AND STANDS.

Shooting-galleries and stands.	Each, per annum.....	20 00
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STOCK-YARDS AND DEALERS IN STOCK.

Stock-yards and dealers in stock.	Each pen, per annum.....	10 00
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THEATERS.

Theaters.	In cities, taxing districts, or towns of 20,000 inhabitants, or over, each, per annum.....	500 00
	In cities, taxing districts, or towns of 10,000 to 20,000 inhabitants, each, per annum...	300 00
	In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, each, per annum...	150 00
	In cities, taxing districts, or towns of 3,000 to 5,000 inhabitants, each, per annum.....	75 00
	In cities, taxing districts, or towns of 1,500 to 3,000 inhabitants, each, per annum.....	25 00
	In cities, taxing districts, or towns of less than 1,500 inhabitants, each, per annum..	20 00

VARIETY THEATER ESTABLISHMENTS.

Variety theater establishments.	Each, per annum.....	500 00
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WATER COMPANIES.

Water companies.	In cities, taxing districts, or towns of 40,000 inhabitants, or over, per annum.....	600 00
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In cities, taxing districts, or towns of 20,000 to 40,000 inhabitants, per annum.....	\$400 00
In cities, taxing districts, or towns of 10,000 to 20,000 inhabitants, per annum.....	200 00
In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, per annum.....	100 00
In cities, taxing districts, or towns of 500 and less than 5,000 inhabitants, per annum.....	50 00

TELEPHONE COMPANIES.

Each telephone box, per annum.....	50 Telephone companies.
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TELEGRAPH COMPANIES.

For each office or station in a city, taxing district, or town of 40,000 inhabitants, or over, per annum.....	500 00 Telegraph companies.
In a city, taxing district, or town of 20,000 inhabitants, per annum.....	300 00
In a city, taxing district, or town of 10,000 to 20,000 inhabitants, per annum.....	150 00
In a city, taxing district, or town of 5,000 to 10,000 inhabitants, per annum.....	50 00
In a city, taxing district, or town of 2,000 to 5,000 inhabitants, per annum.....	10 00

VEHICLES.

If run for profit within the limits of this State, without reference to the residence of the owner, drays, express wagons, and carts (except those of express companies and butchers paying a privilege tax, and except those of farmers or gardeners hauling their own produce; also except those manufacturers hauling their own manufactured articles, except dealers delivering their goods), carts or wagons hauling coal or pig-iron as a business, shall pay, when drawn by one horse, each per annum.....	1 00 Vehicles.
When drawn by more than one horse, for each additional horse, each, per annum...	1 00
Hacks, carriages, or wheeled vehicles carrying passengers, that run for profit in this State, without reference to the residence of the owners, when drawn by one or more horses, each, per annum.....	5 00

Omnibuses, and transfer wagons, each, per annum .....	\$10 00
Hacks, or other vehicles carrying express matter of any character or value, in addition to the above, shall pay a tax of \$10 per annum in each county through which they may run.	

#### WAREHOUSEMEN

Warehousemen. Not paying a tax as commission merchants, each, per annum.....	\$50 00
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And this shall be instead of and cover all taxes for the selling of produce or other articles stored in their warehouses by such warehousemen, but this shall not be so construed to exempt commission merchants from taxation as provided by law; *Provided*, The tax herein levied on such warehousemen shall apply only to those carrying on business in an incorporated city or town, or a taxing district, provided no tax shall be demanded of warehouses not charging storage.

SEC. 5. *Be it further enacted*, That the following corporations shall pay directly to the Comptroller's office the following taxes, and for the faithful collection of same the Comptroller is hereby required to enter into an additional bond in the penal sum of \$100,000, and shall be entitled to a compensation of one and one-half per cent., to be retained out of such collections, provided no commissions for said collections are allowed other collectors or attorneys:

#### EXPRESS COMPANIES.

Express companies. (In lieu of all other taxes except <i>ad valorem</i> tax).	
If the lines are less than 100 miles long, per annum .....	\$1,000 00
If the lines are over 100 miles long, per annum.....	3,000 00
The above tax only applies to express companies running or doing business on cars or boats, etc.	

#### RAILROAD COMPANIES.

Railroad companies. (Taxed according to statute).	
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#### SLEEPING-CAR COMPANIES.

Sleeping-car companies. Each company doing business in the State, on each car, per annum.....	\$500 00
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#### TELEGRAPH COMPANIES.

Telegraph companies. (Taxed according to statute).	Digitized by Google
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SEC. 6. *Be it further enacted*, That all insurance companies shall pay directly to the Insurance Commissioner the following taxes in lieu of all other taxes:

Life (foreign),  $2\frac{1}{2}$  per cent. on gross premium receipts, payable semi-annually.

Fire (foreign),  $2\frac{1}{2}$  per cent. on gross premium receipts, payable semi-annually.

Home fire and life,  $1\frac{1}{2}$  per cent. on gross premium receipts, payable semi-annually.

SEC. 7. *Be it further enacted*, That the income derived from all shares of stock in any corporation which are by their charters exempt from an *ad valorem* tax, or from bonds exempt from any such tax, shall pay a tax of five per cent. per annum upon the amount of such income.

SEC. 8. *Be it further enacted*, That any and all parties, firms, or corporations exercising any of the foregoing privileges must pay the tax as set forth in this Act for the exercise of said privilege, whether they make a business of it or not; and this Act shall not be so construed as to exempt any person, firm, or corporation whatever exercising any of the foregoing privileges from the payment of the tax herein prescribed for the exercise of said privilege, except as herein provided; and it is hereby declared a misdemeanor for exercising any of the foregoing privileges without first paying the tax prescribed for the exercise of said privilege; and all parties so offending shall be liable for a fine of not less than fifty nor more than five hundred dollars.

SEC. 9. *Be it further enacted*, That all laws, or parts of laws, in conflict with this Act be, and the same are hereby, repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 2.

AN ACT to provide more just and equitable laws for the assessment and collection of revenue for State, county, and municipal purposes, and to repeal all laws now in force whereby revenue is collected from the assessment of real estate, personal property, privileges, and polls.

Property  
taxable.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That all property, real, personal, and mixed, shall be assessed for taxation for State, county, and municipal purposes, except such as is declared exempt in the next section.*

Property  
exempt.

**SEC. 2.** *Be it further enacted, That the property herein enumerated, and none other, shall be exempt from *ad valorem* taxation:*

1. All property belonging to the United States, to the State of Tennessee, to any county in the State, or any incorporated city or town in the State, that is used exclusively for public or municipal corporation purposes.

2. All property belonging to any religious, charitable, scientific, literary, or educational institution, and exclusively used for the purpose for which such institution was created.

3. All property belonging to schools, colleges, academies, and other seminaries of learning of a public character, and all real estate, worth not more than ten thousand dollars, owned by agricultural and mechanical associations, and used by them for such purposes.

4. All cemeteries, places of burial used as such, and monuments of the dead.

5. All roads, streets, alleys, and promenades where condemned, dedicated, or thrown open for public travel or use free of charge.

6. All growing crops of whatever nature or kind, the direct product of the soil in the hands of the producer, or his immediate vendee, and manufactured articles from the products of this State in the hands of the manufacturer.

7. Personal property to the amount of one thousand dollars.

Assessments  
annually.

**SEC. 3.** *Be it further enacted, That in order to provide revenue for State and county purposes, property*

privileges, and polls shall be assessed annually, as hereinafter provided.

SEC. 4. *Be it further enacted*, That the basis of all <sup>Basis of assessments.</sup> assessments shall be as follows, to-wit:

1. To assess the property to the person or persons owning or claiming to own the same on the 10th day of January of the year for which the assessment is made, if known; if not, to the unknown owners.

2. To assess real estate at its cash value, to be ascertained as hereinafter provided.

3. To assess personal and mixed property at its cash valuation.

4. To assess the property, including property held by executors, administrators, trustees, and guardians, in the district or ward in which it lies, or is known to be at the time of assessment; but all stock in banks, banking associations, or other corporations or joint stock companies, shall be assessed in the place, town, ward, or district in which such banks, banking associations, or other corporation are located, at its full market value; but in no instance shall the stock of any bank or banking, insurance, or other stock company or corporation, be assessed for less than its actual value and net surplus, if any. Street railroad stock and bonds, and property of a street-car company used within any town, city, or taxing district, where the office of the company is located outside of such incorporated city or town, or a taxing district, but the main line of the road is within the city, shall be taxed in the city, town, or taxing district as if the office were situated within the city limits.

SEC. 5. *Be it further enacted*, That in assessing real estate the following shall be shown: <sup>Description of realty.</sup>

1. The description of the property.

2. The name of the owner or owners.

3. The value of the land or town lots, including improvements.

4. The value of mills, gins, manufactories, distilleries, breweries, foundries, and other buildings used for similar purposes.

SEC. 6. *Be it further enacted*, That the said Assessors shall assess real estate in the manner following: <sup>Manner of assessing real property.</sup> They shall prepare a complete list of all taxable real estate in the respective district or ward, from the schedules hereinafter required, giving the name of each owner in alphabetical order, and setting out the number of acres of each tract, and the assessed value

thereof, giving (if the same can be done) the Surveyor's district, range, township, and section, civil district; and if this cannot be done, then such mode of description shall be adopted as will identify the property and its location, by giving the lands by which the tract is bounded; and if the real estate be in a town, the present number of the lot and block, and the number of front feet, and the depth thereof, and the assessed value thereof.

Personal property.

Sec. 7. *Be it further enacted*, That personal property shall be assessed under the following heads:

1. The actual stock in each bank, or banking, insurance, or other stock company or corporation invested in business.
2. Stocks of merchandise, wares, goods, and chattels kept on hand or in store for sale, trade, or traffic; but the value of same shall not be included in the tax values, and the Assessor is hereby required to furnish a list of same, showing the owners and value of said stock, to the County Court Clerk, which shall be recorded in a book kept by him for that purpose.
3. Merchandise, wares, goods and chattels sold at auction or on commission.
4. Notes, due-bills, negotiable paper, and accounts on solvent persons, or parties believed to be solvent, and all other assets, including cash on hand or on deposit, or invested in any manner in this State or elsewhere.
5. All bonds, stocks, and other like securities other than such as are exempt from taxation by the laws of the United States.
6. Stallions, mares, geldings, jacks, jennets, mules, cattle, sheep, and hogs, and all blooded stock, to be assessed at actual cash value.
7. Watches, plate, jewelry, pianos, and household and kitchen furniture.
8. Carriages, buggies, and all other wheeled vehicles of pleasure or profit.
9. Machinery, engines, presses, looms, steamboats, ferryboats, and tools and implements of all pursuits and industry for gain or profit.
10. All other personal property, whether belonging to individuals, corporations, or firms.
11. The amount of income derived from United States bonds, and all other stocks and bonds not taxed *ad valorem*.

**Sec. 8. Be it further enacted,** That no tax shall here-  
after be assessed upon the capital of any bank or  
banking association, or any other joint stock com-  
pany or corporation organized under the authority of  
this State or of the United States; but the stock-  
holders and bondholders in such bank or banking as-  
sociation, or other corporation, shall be assessed and  
taxed on the market value of their shares of stock  
and bonds therein; said shares of stock and bonds  
shall be included in the valuation of personal prop-  
erty of such stockholders or bondholders in the as-  
sessment of State, county, or municipal taxes at the  
place, town, ward or district where such bank or  
banking association, or other corporation is located  
(except otherwise provided by law), whether said  
stockholder or bondholder resides in said place, town,  
ward, or district or not; and all banks or banking as-  
sociations or other corporations shall, in addition, be  
liable for taxes on any property, funds or assets  
owned by them not included in the foregoing provi-  
sions of this section; and the property and shares of  
stock in companies or corporations organized under  
the laws of the State of Tennessee, and firm or firms  
engaged in manufacturing articles of the produce of  
this State exclusively, shall be assessed as one prop-  
erty, in the same manner as the property of firms and  
individuals is assessed.

**Sec. 9. Be it further enacted,** That the President or  
Business Manager of any bank, banking association,  
or other corporation doing business under the laws of  
this State, is hereby required to declare upon oath  
before the Assessor, the amount of capital invested  
in such business, and the amount of bonded indebt-  
edness, if any, outstanding against the same, and each  
one hundred dollars of such capital and bonded indebt-  
edness, for the purpose of this Act, and for the pur-  
pose of taxation, shall be held and regarded as one  
individual share in such bank, banking association, or  
other corporation, and such shares are hereby declared  
to be personal property. If such President or Busi-  
ness Manager have partners, he shall declare upon  
oath, before the Assessor, the number of shares held  
or owned by each of them in such business, ascer-  
tained as above provided, and the shares so held  
by any partner shall be included in the valuation  
of his taxable property in the assessment of all  
taxes levied in the city, town, ward, or civil district

Stocks and  
bonds taxed at  
market value.

Officers of banks  
and other cor-  
porations to re-  
port stocks and  
bonds.

Shares are per-  
sonal property.

President or  
manager to pay  
taxes of all  
shareholders.

where such business is located, except herein otherwise provided; and said President or Business Manager, shall pay the same, and make the amount so paid a charge in his account with said partners; and if said President or Business Manager have no partners, he shall be held to be the sole owner of all the shares in said business, and the same shall be included in the valuation of his personal property in the assessment of all taxes levied in city, town, ward, or district where said business is located, except herein otherwise provided.

Lists of share-  
holders subject  
to inspection.

SEC. 10. *Be it further enacted*, That there shall be kept at all times in the office where the business of such bank, banking association, or other corporation, organized under the authority of this State, or of the United States, shall be transacted, a full and correct list of the names and residences of all the stockholders and bondholders therein, and the number of shares and amount of bonds held by each, and such list shall be subject to the inspection of the officers authorized to assess taxes, during the business hours of each day on which business may be legally transacted.

Shares of non-  
resident holders  
liable.

SEC. 11. *Be it further enacted*, That when the owner of stock or bonds in any bank, or banking association, or other corporation organized under the laws of this State, or of the United States, shall not reside in the same county where the bank or corporation is located, or is a non-resident of this State, the Revenue Collector for the State, county, or municipality shall respectively have the power to collect the tax assessed by this Act, by instituting attachment proceedings, and said tax shall be and remain a lien on the stocks or bonds until the payment of the same.

Dividends re-  
tained to pay  
taxes.

SEC. 12. *Be it further enacted*, That for the purpose of collecting such taxes, and in addition to any other laws of this State relative to the imposition and collection of taxes, it shall be the duty of the President or managing officer of every such bank or other corporation doing business in the State, to retain so much of any dividend or interest belonging to such stockholder or bondholder as may be necessary to pay any and all taxes assessed in pursuance of this Act, until it shall be made to appear to such officers that said taxes have been paid.

Privileges and  
franchises liable  
to taxation.

SEC. 13. *Be it further enacted*, That the privileges and franchises granted by the Legislature of this State to savings banks, or institution for savings, are hereby

declared to be personal property and liable to taxation as such in the town, ward, or district where they are located, to an amount not exceeding the gross sum of their surplus earned and in possession of said banks or institutions; and the officers of such institutions or banks shall be examined on oath by Assessors as to the amount of such surplus, and the property of such banks and institutions shall be liable to seizure and sale for the payment of all taxes assessed upon them for said privileges and franchises.

SEC. 14. *Be it further enacted*, That this Act shall not be so construed, and shall not so operate, as to exonerate or release from taxation any company or corporation whose charter exempts stock and shares thereof from taxation; but it is hereby enacted that in all cases where such stock is exempted, such company or corporation shall be assessed in such way as may be lawful; and in all cases in which by the terms or legal effect of the charter the shares of stock in any corporation are wholly or partially exempt from taxation, or in which a rate of taxation on the shares of stock is fixed and prescribed and declared to be in lieu of all other taxes, taxes for State, county and municipal purposes shall be assessed and levied at a rate uniform with the rate levied upon other taxable property, upon the capital stock of said corporation, the value of which capital stock shall be fixed and returned by the Assessor as being equal to the aggregate market value of all the shares of stock in said corporation, including the net surplus.

SEC. 15. *Be it further enacted*, That stocks of merchandise, wares, goods, and chattels sold at auction and commission, shall be assessed for taxation, and the following is declared to be the method by which the amount to be returned or assessed shall be determined, viz.: Where any person, company, corporation, or firm shall have sold goods, wares, merchandise, or chattels at auction or on commission, whether in the regular business of selling at auction or on commission, or shall have made such sales in connection with any other business, the aggregate amount of said auction or commission sales for the period engaged in business, not exceeding twelve months, shall be ascertained, and one-third of said amount of sales shall be returned for taxation.

SEC. 16. *Be it further enacted*, That merchants shall pay an *ad valorem* tax upon the capital invested in

Charter exemption  
no release  
from taxation.

Auction and  
commission  
sales. how  
assessed.

Ad valorem tax  
on merchants.

their business equal to that levied on taxable property, and the term "merchants," as used in this Act includes all persons, copartnerships, or corporations engaged in trading or dealing in any kinds of goods, wares, and merchandise, either on land or in any steamboat, wharf-boat, or other craft, stationed or plying in the waters of this State, and confectioners; and whether such goods, wares, and merchandise be kept on hand for sale, or the same be purchased and delivered for profit as ordered. But nothing in this Act contained shall in any wise effect the collection of privilege taxes upon the vocations declared by this Act to be privileges.

*Merchants' license.*

SEC. 17. *Be it further enacted,* That no merchant shall commence and continue a business in any county of this State without obtaining license from the Clerk of such county in accordance with the provisions of this Act; and every person or individual member of any copartnership or corporation so offending shall be subject to prosecution for each day's violation of the law, and on conviction shall be fined not less than one hundred dollars for each offense. Said license is hereby required to show all the State and county revenue paid; the name or names of the party, or firm, or corporation, or company, and is further required to be registered in the office of the Clerk of the Circuit Court in a book to be kept by him for that purpose, showing in full the date of issuance, name or names of the party or parties to whom issued, the character of business, and the amount of State and county tax paid, and to be countersigned by the Clerk of the Circuit Court, and for registering and countersigning said license, and for making a quarterly report of same to the State Comptroller and Chairman of the County Court, to be accompanied with his revenue reports, he shall receive the sum of twenty-five cents for each license, to be paid by the party or parties to whom said license is issued; and said license shall not be considered valid, nor shall it be delivered by the County Court Clerk until the provisions of this Act have been complied with; and each violation of the provisions of this Act on the part of the County or Circuit Clerks is hereby declared a misdemeanor, and, upon conviction, shall be fined not less than fifty nor more than one hundred dollars.

*Merchants' bond.*

SEC. 18. *Be it further enacted,* That every merchant, firm, company, or corporation applying for license

shall, before receiving the same, execute a bond to the State with good security, to be approved by the Clerk of the County Court, in the sum of one thousand dollars, conditioned that such merchant, firm, company, or corporation, will render to the Clerk issuing the license, at the end of twelve months from the date of the bond, or if the merchant ceases to do business before the expiration of twelve months, then as soon as he ceases to do business, a true statement under the oath prescribed by this Act, of the amount of capital invested in such business during said twelve months, or the period in which he was engaged in such business, if he ceases to do business before the end of twelve months, and will pay to the Clerk the tax thereon. For taking the bonds and issuing the license the Clerk shall be entitled to one dollar, to be paid at the time of issuance.

Sec. 19. *Be it further enacted*, That any merchant, firm, company, or corporation continuing in business shall renew his license annually, and no license shall authorize merchandising out of the county where issued, nor for a longer period than one year.

Sec. 20. *Be it further enacted*, That at the expiration of twelve months from the date of his bond, or sooner as provided in the eighteenth section hereof, each merchant, firm, company, or corporation shall file with the County Court Clerk, by whom the license was issued, a statement under oath, showing:

1. All capital invested in his stock of goods, wares, and merchandise not otherwise reported as hereinafter required, to be estimated at not less than the cash value of the average amount of such goods, wares, and merchandise on hand during the preceding twelve months, or less period, the average amount to be ascertained by striking a balance between the largest and smallest amounts on hand at any one time during the twelve months, or less period if he ceases to do business before the end of twelve months; and in estimating the largest and smallest amounts on hand the following items shall be considered: The value of all notes, due bills, negotiable paper, accounts, and judgments on solvent parties, or parties believed to be solvent, and all other assets, including cash on hand or on deposit in solvent banks, or in the hands of solvent parties belonging to any person, company, or firm used in carrying on the business of such person, company, or firm arising from said business,

License re-newed annually

Capital in merchandise.

and not otherwise taxed, shall be assessed for taxation.

**Capital used in trading.** 2. All capital employed during the preceding twelve months in any manner of trading in which there is no stock of goods, wares, and merchandise kept on hand for sale; and the aggregate capital so reported shall be deemed the taxable capital of such merchant, upon which he shall pay to the Clerk the same tax as levied upon real estate and other taxable property for State and county purposes; and the report herein required shall be sworn to by that member of any copartnership or mercantile firm, company, or corporation who is most thoroughly acquainted with such business.

**Capital defined.** The word "capital," as used in this and the foregoing sections, shall be construed so as to mean the average amount of stock on hand during the year in which it is offered for sale, the amount to be ascertained as provided in the first sub-section hereof. But if the average amount of stock on hand is less than the capital stock employed by said merchant, company, firm, or corporation, he shall pay tax on the capital stock.

**Clerk to correct report.** If the statement herein required to be made under oath to the Clerk of the County Court be not considered just and correct by the Clerk, it shall be the duty of the said Clerk to issue citation to the person or firm, company or corporation making such statement, commanding such person or firm, or company or corporation to appear before said Clerk within five days from the date of the issuance of citation, to show cause why such statement shall not be revised and corrected; and the said Clerk shall be empowered to issue subpœnas for witnesses to appear before him, and testify under oath, to be administered by said Clerk, or his lawful deputy, touching the correctness or incorrectness of such statement; and it shall be the duty of said Clerk, after a full investigation, to correct and audit said statement.

**Delinquents.** SEC. 21. *Be it further enacted,* That the County Court Clerks of this State be, and they are hereby, required to turn over to the Attorney-General of the respective districts all privilege license bonds due and unpaid, within thirty days after such bonds become due and payable, taking duplicate receipts for the same, specifying the amount due thereon as nearly as can be ascertained, one of which receipts shall be forwarded to the Comptroller of the State, and the other spread on record in the County Court, where-

upon the Attorney-General aforesaid shall forthwith give five day's notice to the principal and security on such bond to appear before the Chairman or Judge of the County Court in which said bond is due, and show cause, if they have any, why judgment should not be rendered against them for the amount of revenue due on such bond, which judgment shall in no case be less than the amount of the specific or privilege tax fixed by law and by the County Court, with six per cent. interest and twelve per cent. damages, and the costs added thereto from the time the bond was payable and due, and jurisdiction is hereby conferred on the County Courts of this State to try and determine such cases, to render judgment, issue executions, and do all things necessary to enforce the collection of this revenue and necessary to the enforcement of this Act, and the notice so given may be returnable to any Monday of said County Court, to the Judge or Chairman thereof; *Provided*, Five day's notice is given, when the said Chairman shall try the matter, and upon the failure of the principal or security to appear the Attorney-General shall move for judgment, and the Chairman or Judge shall render, and have entered, a judgment for the amount of said bond as aforesaid, with costs. The Attorney-General shall be allowed a fee of five dollars, and the Clerk the usual fees for ~~fees of officers~~ such services as in the Circuit Courts of this State; the State and county shall in no event pay any costs or attorney's fees in these proceedings, but the same shall be taxed against delinquents.

Judgment on  
merchants'  
bond.

**SEC. 22.** *Be it further enacted*, That the Clerks of the County Courts of the several counties of this State shall collect all taxes on merchants, company, firm, or corporation, and privileges as now provided by law, and be subject to all the pains and penalties for failure to pay such taxes over to the Comptroller that are provided for in this Act in the case of Trustees.

**SEC. 28.** *Be it further enacted*, That all the property described in Articles 5, 6, 7, 8, 9, 10, and 11 of Section 7 of this Act shall be assessed for taxation according to its actual value; *Provided*, That in assessing steamboats and ferryboats navigating streams within, or bordering on, this State, the same shall only be assessed to the extent of the interests therein

Steamboats and  
ferryboats.

of any person, company, corporation, or firm residing or doing business in this State.

Failure to assess, or inadequate assessment.

SEC. 24. *Be it further enacted*, That should it at any time after the assessments have been made, come to the knowledge of the Chairman or Judge of the County Court, the Clerk of the County Court, the County Trustee, Sheriff, or other officer or person of any county in this State, that any person, company, firm, or corporation in said county has not been assessed as contemplated by the provisions of this Act, or has been assessed on an inadequate amount, it shall be the duty of said Chairman, or Judge, Clerk, Trustee, Sheriff, or other officer or person, on motion of Attorney-General, to cite said person, company, firm, or corporation, their agent, attorney, or representative, to appear before the Trustee for the purpose of being assessed according to law; and said Trustee is hereby authorized and empowered to make the proper assessment against such person, firm, or corporation; and should it appear that said person, company, firm, or corporation did, in any manner, connive at or purposely evade said assessment, or did knowingly permit an inadequate assessment to be made, said Trustee shall correct said assessment, and shall add fifty per cent. to the amount of said assessment, and cause the same to be entered upon the tax books for collection. And the Attorney-General shall be allowed, as compensation for his services, twenty per cent. of the taxes or penalty realized from said increased assessment, to be retained out of the taxes when collected.

Taxes and damages a lien on real estate.

Assessor.

SEC. 25. *Be it further enacted*, That the assessed taxes on all real estate, including the taxes on polls, and all damages and costs accruing thereon, shall be and remain a lien upon such real estate from the 10th day of January of each and every year.

SEC. 26. *Be it further enacted*, That the Quarterly or County Court of each county in the State shall, at the January term, 1888, elect one Assessor, who shall be twenty-one years of age, or over, and a qualified voter of the State and county, who shall assess the taxable property of said county for the year 1888, and shall hold his office until the election and qualification of his successor as hereinafter provided. Such Assessor shall not be a member of said County Court, or hold any other county office during the time for which he is elected Assessor.

SEC. 27. *Be it further enacted*, That at the regular <sup>Election.</sup> August election for the year 1888, and every two years thereafter, there shall be one Tax Assessor elected for each county by the qualified voters thereof, who shall hold their respective offices for the term of four years from the first day of January of the year following said election; and no Assessor shall succeed himself in office.

SEC. 28. *Be it further enacted*, That each Assessor <sup>Bond of Assessor.</sup> shall, before or on the first day of January next succeeding his election, enter into a bond, with two or more good and sufficient securities, payable to the State of Tennessee, in the sum of \$5,000, to be approved by the County Judge, or Chairman of the County Court, conditioned that he shall faithfully and honestly discharge the duties of his office, and shall take the following oath of office before the Judge or Chairman of the County Court, and said oath shall be filed in office of County Court Clerk:

“I, \_\_\_\_\_, Assessor of property and polls of the <sup>Oath.</sup> county of \_\_\_\_\_, State of Tennessee, do solemnly swear that I will assess all property, real and personal, at its actual cash value, and all polls in said county of \_\_\_\_\_, at the time I may make said assessment, to the best of my knowledge and ability, without fear, favor, or affection, and that I will faithfully discharge my duty as Assessor according to the law, to the best of my knowledge and belief, and that I will administer the oath to all property owners, as the law requires, when practicable; so help me God. Sworn to and subscribed before me on this, the \_\_\_\_\_ of \_\_\_\_\_.”

SEC. 29. *Be it further enacted*, That the Assessor in <sup>Deputies.</sup> each county may appoint one or more deputies, not exceeding five, with the same powers, duties, and liabilities as the Assessor, so far as it pertains to the assessment of property and polls, and who shall take the same oath as required of the Assessor; and the compensation of said deputies shall be paid as herein-after provided.

SEC. 30. *Be it further enacted*, That it shall be the <sup>Duty of Assessor.</sup> duty of the Assessor, by himself or through his deputies, to go on the premises and personally see each tax-payer in his county, or his attorney, and take the sworn statement of such tax-payer, in writing, as to his property, real, personal, and poll, without regard to any exemptions; and if any tax-payer is a non-

resident of the county, or if the owner cannot be found, or seen in person, by the Assessor, the Assessor shall, in the best way possible, proceed to assess said property, and for that purpose shall administer an oath to any freeholder living in the civil district or ward where such property is situated, or other person, whose duty it shall be to answer, under oath, such questions as may be propounded by the Assessor concerning its value; and any and all persons swearing falsely and corruptly shall be guilty of perjury; and any person refusing to take the oath or answer such questions as may be propounded by the Assessor, shall be guilty of a misdemeanor; and all such statements of the property-holder or witnesses shall be in writing, and shall be filed with the County Court Clerk by the time or before the Assessor makes his final report.

*SEC. 31. Be it further enacted, That the Assessor shall assess the property in each district and ward separately; and to this end he shall proceed to assess the property in a district or ward, commencing at some corner or outside point of the district or ward, and assess it in rotation as it joins or lies contiguous to the property first assessed, or about to be assessed, and shall proceed in the regular manner until he shall have made the circuit of the district or ward, and he shall enter each assessment in suitable books (by districts and wards), to be furnished by the County Court.*

*Blanks.*

*SEC. 32. Be it further enacted, That the Assessor shall furnish every person, company, firm, or corporation in each ward and district, proper blanks for the purpose of listing and assessing all property and polls; and it is hereby made the duty of the Comptroller of the Treasury to furnish the Clerks of the County Courts said blanks, to be distributed by the Clerk to the Assessor, which shall contain among others necessary to ascertain all taxable property, the following questions, and the Assessor shall require all parties liable either for a property or poll-tax to fill out separate lists:*

1. How many acres of land do you own? In what civil district, range or Surveyor's district is it located, and by whose land is it bounded on the East, South, West, and North?

2. How many town lots do you own? What is their number, and in what town located? What is the number of front feet and depth of the lot?

3. What is your age? Is there any reason why you are not liable for poll-tax?

4. What does your personal property consist in, and where situated? Have you conveyed, converted, or disposed of any property, personal, real, or mixed, in any manner, or created any debt for the purpose of evading the provisions of law or affecting the value and amount of your taxable estate?

5. Are you engaged in any banking business, or are you a shareholder, or bondholder, or engaged in, or the officer of any incorporated bank or other corporation? If so, state the number of shares and bonds held by you and other shareholders or bondholders in said business. And the Assessor shall require oath to be made to the correctness of the items thereof, and the questions thereon, which oath shall be administered by the Assessor (who is hereby authorized to administer same), or some Justice of the Peace, and entered thereon beneath said list, and signed and sworn to by the party listing. And nothing in this Act shall be so construed as requiring the property-holder to make oath as to the value of any of his property, but the Assessor is hereby required to assess and fix the value of all property as herein required, and report all persons violating this Act to the Grand Jury.

Sec. 33. *Be it further enacted*, That all species of <sup>Property to be assessed at its cash value.</sup> property shall be assessed at its cash value. That of real property shall be arrived at by the Assessor by estimating the value of real property on a sale at one-third cash, and balance in equal payments of one and two years, deducting ten per cent. for cash.

Sec. 34. *Be it further enacted*, That persons acting as executors, administrators, guardians, agents, or attorneys, clerks of any court, or in any fiduciary capacity whatever, shall make a return of the property, moneys, credits, and effects held or controlled by them in either of said capacities, separate from their individual returns, and the same shall be listed separately for taxation.

Sec. 35. *Be it further enacted*, That in all cases where any person or persons acting in a fiduciary capacity, company, firm, or corporation, or agent, or attorney, shall fail, neglect, or refuse to return to the Assessor <sup>Refusal of agent to return schedule reported to County Judge.</sup>

the schedule of property for taxation, the Assessor shall report the facts to the Chairman or Judge of the County Court, who shall cite the person, agent, or attorney, firm, officer, officers of the company or corporation before him, and shall demand of them to answer the questions heretofore provided in this Act, under oath, and shall have power to punish for contempt for failure to answer. And if the refusal to answer is persisted in, the Judge or Chairman shall make such an assessment in such case from the best information he can obtain, and such assessment shall be conclusive as to the value of the property and to the ownership of the property; and the costs accruing by proceedings under this section shall be paid by, and be a charge against, the tax-payer respectively and upon the property.

Judge to make assessment.

Assessor to report to County Court Clerk.

SEC. 36. *Be it further enacted,* That the Assessor shall make a report to the County Court Clerk of said assessment lists, by the first Monday of June of each year, and turn over his books to said Clerk, which shall be filed by him and carefully preserved to be acted upon by the Board of Equalization to be appointed as hereinafter provided; and said books and lists are to be preserved as a part of the official records of the office of said Clerk, accompanied by the following oath, made before the Judge or Chairman of the County Court, and said oath shall be filed in the office of County Court Clerk:

oath.

“I, \_\_\_\_\_, Assessor of the County of \_\_\_\_\_, State of Tennessee, do solemnly swear [or affirm] that I have set down in the foregoing assessment all the property, real and personal, and all the polls in said County of \_\_\_\_\_, as far as ascertainable, to the true owners thereof, and that I have required lists to be filled out and filed by all property-owners, agents, and attorneys, and lists of all parties liable for a poll-tax, as heretofore provided, and that I have estimated the value thereof at its actual cash value as prescribed by law at the time I made said assessment, to the best of my knowledge and ability, without fear, favor, or affection, and that I have faithfully discharged my duty as Assessor according to law to the best of my knowledge and belief; so help me God. Sworn to and subscribed before me on this \_\_\_\_\_ day of \_\_\_\_\_.”

Ineligible for a second term.

SEC. 37. *Be it further enacted,* That the Assessor provided for in the twenty-seventh section of this Act shall make an assessment for 1889, and every

year thereafter, and shall be ineligible for a second term.

SEC. 38. *Be it further enacted*, That the Assessor <sup>Compensation of Assessor.</sup> elected under this Act shall be paid by the county, and receive as compensation upon the value of the property in his county a per cent. as follows: In cities of 40,000 inhabitants or over, one-tenth of one mill; in cities or towns from 5,000 to 40,000 inhabitants, one-eighth of one mill, and in towns of less than 5,000 inhabitants, and in all country districts, one-fifth of one mill on the value of property determined on by the Board of Equalization, as hereinafter provided; that in all counties of less than 18,000, and more than 12,000 population, they shall receive one-fourth of a mill, and in all counties of less than 12,000 population two-fifths of a mill, and each Assessor shall receive five cents on each poll properly assessed; and he is hereby required to pay his deputies at the same rate as herein provided for payment of said Assessor, and shall receive no compensation until the requirements of this Act have been complied with.

SEC. 39. *Be it further enacted*, That should a vacancy <sup>Vacancy, how filled.</sup> occur in the office of Assessor, said vacancy shall be filled by the Quarterly Court, such person to hold office until the next regular August election, when an Assessor shall be elected to fill out the unexpired term.

SEC. 40. *Be it further enacted*, That each and every <sup>Neglect of duty, penalty for.</sup> Assessor who, in the discharge of his duties as such Assessor, shall in any case refuse or neglect to perform any duty enjoined upon him by law, shall knowingly or willfully evade or violate any of his duties as Assessor, whereby any proceedings required by law to be performed shall be prevented or hindered, or whereby any property or capital required to be listed for taxation by this Act shall not be assessed, or shall be assessed at less than its true value on the basis prescribed by this Act, shall for every such neglect, refusal, willful evasion, or violation, or for any other breach of duty, be deemed guilty of a high misdemeanor, and upon conviction thereof, shall forfeit and pay to the State not less than fifty, nor more than five hundred dollars, at the discretion of the Court and jury; and in addition shall be a ground for suit on his official bond, and the grand juries shall have inquisitorial powers in all cases of violation of

this Act, and the Judges shall especially call attention of grand juries to their duties hereunder.

**Board of Equalization.** SEC. 41. *Be it further enacted*, That the Assessors provided for in Sections 26 and 27 of this Act shall, in conjunction with the Judge or Chairman of the County Court, appoint three freeholders, who, with said Assessor and Judge or Chairman of the County Court, shall constitute a Board of Equalization to examine said assessment lists as returned by the Assessor to the County Court Clerk.

**Duties of Board of Equalization.** SEC. 42. *Be it further enacted*, That said Board of Equalization shall carefully examine and compare and equalize said assessments, and shall eliminate from the lists thereof all property exempt under this Act, and they are hereby empowered to hear and adjust complaints from any party feeling aggrieved on account of excessive assessments when in their judgment justice demands it, and to correct any and all errors arising from clerical mistakes, or otherwise, and the corrections made, if any, shall be entered upon the assessment book, without in any way altering the assessment lists, and the action of this board as to valuation shall be final, and all complaints in this regard are hereby required to be made and acted upon by this board during its session, which shall be from the first Monday to the third Monday in June. If complaint made is based on excessive values, said board shall have the right to summon before them witnesses who shall be disinterested freeholders, and the sworn testimony of three such witnesses concerning same will be sufficient evidence upon which such board may act.

**Compensation.** SEC. 43. *Be it further enacted*, That said Board of Equalization, except the Assessor and Chairman or Judge, shall each be paid the sum of \$2.50 per day for each day they are actually engaged in the discharge of their respective duties, to be paid by the county, and they shall receive no pay until all their duties have been discharged.

**Oath.** SEC. 44. *Be it further enacted*, That each member of said Board of Equalization, before entering upon the duties of their office, shall take and subscribe to the following oath before the Clerk of the County Court, which shall be filed in said office:

“State of Tennessee, — County. I, \_\_\_\_\_, member of the Board of Equalization of Assessments in said county, do hereby solemnly swear that

I will, without fear, favor, or affection, perform the duties required of me by law as a member of such board, and that I will carefully examine, compare, and equalize all assessment lists as returned by the Assessor and his deputies, in strict compliance with the requirements of this Act as to value, and that I will hear all complaints made before said board, by parties feeling aggrieved, during the sitting of the same, and act impartially in passing thereon to the best of my knowledge and ability; so help me God. Sworn to before me, this — day of —."

SEC. 45. *Be it further enacted*, That said Board of Equalization shall make a return of the assessment lists and book, together with all changes made by said board, to the Clerk of the County Court, on or before the first Monday in July of the year for which said assessment is made, and then respectively their duties shall cease and determine.

SEC. 46. *Be it further enacted*, That should the property in any district or ward, or any part thereof, escape assessment, or fails in any manner to be assessed, the Trustee is hereby required to assess the same, and report the amount of the taxes thereon collected to the County Court as "picked up" taxes, at the same time that he reports list of errors, etc., and the Clerk of said Court is hereby required to certify a copy of said report to the officers with whom the Trustee, by law, is required to settle, and the Trustee shall account for same in making final settlements of his various accounts.

SEC. 47. *Be it further enacted*, That the Clerk of the <sup>Tax-books.</sup> County Court shall make out from the assessment books in his possession and deliver to the Trustee the tax-book on or before the first Monday of October each and every year respectively, including the year 1887; *Provided*, The Trustee shall first have entered into a bond in double the amount of taxes, as required by law. Said tax-books shall be made out by districts, and shall be ruled in suitable and appropriate columns, and shall show the names of owners in alphabetical order, the number of the lot and block, number of acres, description of the property, the value of each lot, tract, or parcel of land, the valuation of personal property under the appropriate heads or items called for by this Act, and the total valuation of real and personal property against each taxpayer. On this valuation the State, county, and

special taxes shall be extended in appropriate columns, separately, according to and at the rates levied by the proper authorities, and a column added showing the total of all taxes levied and to be collected from each tax-payer in said district.

**Tax aggregate  
for Comptroller.**

SEC. 48. *Be it further enacted*, That the Clerk of the County Court shall make out from said tax-books an aggregate statement, showing the value of all town lots, the number of acres, and value of all tracts of land, and the value of all personal property. This statement shall be made and the facts shown by civil districts and wards, and aggregate for the whole county for the items named. Said Clerk shall specify in said statement which of said districts are suburban or country districts. This statement shall be forwarded to the Comptroller of the Treasury on or before the first Monday in September, with a statement showing the total amount of State tax charged upon said tax-books and to be collected.

**Failure to com-  
ply, penalty.**

SEC. 49. *Be it further enacted*, That should any Clerk of the County Court fail to comply with the requirements of the three preceding sections, when within his power to do so, he shall forfeit all claims for compensation for labor and services for making out and preparing said tax-books.

**Privileges; what  
are.**

SEC. 50. *Be it further enacted*, That the occupations and business transactions that shall be deemed privileges and be taxed, and not pursued or done without license, are the following, viz.: Merchants and commission merchants (wholesale and retail); *Provided*, That merchants who are also lumber dealers shall pay only one privilege tax; auctioneers, parties other than auctioneers selling goods at public outcry, cigar stands, plumbers and gas fitters, artists and architects, photographers, brewers, banks or banking, brokers of all kinds, butchers, bagatelle tables, billiard tables, Jenny Lind, and pool tables, circuses, menageries, street exhibitions of all kinds for profit, flying jennies, exhibitions for profit, sleight of hand and legerdemain, hacks, carriages, drays, and wheeled vehicles run for profit or carrying express matter, except farm-wagons or other farm vehicles; hucksters and sample-sellers, itinerants, claim agents, lumber dealers, stock-yards and sale stables, fruit-stands, shooting-galleries, hotels or taverns, restaurants or public eating houses, and boarding houses keeping transient customers for pay; barber shops, parties buying fees of

officers, etc.; parties renting or selling gas meters for the manufacture or purifying of gas; express companies, express wagons and carts, transfer wagons; intelligence officers and keepers, commercial agencies, each, the business of insurance agents, coal and coke dealers or agencies, livery stables, sale stables, feed stables, omnibuses, peddlers of patented articles, peddlers of patent medicines, and of school furniture and apparatus, and peddlers in lightning-rods and nostrums, peddlers of merchandise; agents selling fruit trees and shrubbery who represent a nursery in or out of the State, also book agents representing books published outside the State; pawnbrokers, liquor dealers, whether liquors be spirituous, vinous, or malt (wholesale or retail); race tracks, skating rinks, ferries, dealers, etc., in sewing machines, selling by sample, dealing in securities, shaving notes, theaters, telegraph companies, ten-pin alleys, variety theater establishments, commission brokers, dealers in stocks and bonds (other than brokers), companies or agencies selling to the trade or otherwise coal or illuminating oils manufactured in this State or elsewhere; dealers in county certificates or warrants, and witness fees; sleeping-car companies, cotton compress companies, cotton-seed oil mills, water-works companies, telephone companies, gas companies, electric light companies, hotels kept as summer resorts, except such as belong to religious, charitable, scientific, and educational institutions, but shall apply to any such hotels run for profit; and dealers in futures; all parks kept for pay; base-ball clubs or any games played with ball and bat where a fee is charged spectators for admission; dealers in railroad tickets; sideshows, bill-posters, and charters of incorporated companies; litigation, mortgages and transfers of land; parks, pool selling, railroad ticket agents and scalpers, warehouses and cotton buyers, merchant tailors.

*Sec. 51. Be it further enacted, That it shall be the duty of the Assessor to make a return to the County Court Clerk of the name of each person, company, firm, or corporation, or agent of any person, company, firm, or corporation, engaged in any business, liable in any way to pay a privilege tax, in each district or ward under the provisions of this Act. For each name contained in the list of privileges, the Assessor shall be entitled to be paid five cents. It shall be the duty of the Judge or Chairman of the County Court to*

Return of Assessor.

examine the list of names so returned and compare the same with the list of persons paying privileges, and he shall report the result to the Quarterly Court at the July term following the assessment.

**Poll-tax.**

SEC. 52. *Be it further enacted*, That every male inhabitant between the ages of twenty-one and fifty years, except persons who are deaf, dumb, blind, incapable of labor and of earning a livelihood, shall pay a poll-tax for school purposes.

**Rate.**

SEC. 53. *Be it further enacted*, That the rate of taxation on every taxable poll shall be one dollar. Said poll-tax shall be collected annually by the Trustee of the County, and shall be appropriated for common school purposes, in the manner prescribed by law.

**County Court Clerk and Trustee to collect.**

SEC. 54. *Be it further enacted*, That the Clerk of the County Court shall collect all tax on privileges and merchants, and that the County Trustee shall continue to act as the collector of taxes in accordance with the provisions of Sections 1. and 2 of an Act passed on the 24th day of March, 1875, entitled "An Act more cheaply to collect the State, county, and municipal revenues, *Provided, however,* This section shall not apply to municipal corporations that under existing laws are authorized to collect their own taxes on property, privileges, and polls.

**Advertisement.**

SEC. 55. *Be it further enacted*, That the Trustee, on receiving the tax-books for the year 1887, and each subsequent year, shall give public notice by advertisement at four of the most public places in each civil district in said county that the tax-books are completed and in his hands, and that he will attend and receive all public taxes at one or more places of each civil district, such places and the times to be designated in the advertisement.

**Taxes, when due**

SEC. 56. *Be it further enacted*, That every tax-payer shall pay his State, county, railroad, municipal, highway, and school, and all his other property and poll-taxes to said County Trustee; and said taxes shall be due and payable on the first Monday in October of each year (the year for which they are assessed), except the railroad taxes collected by Comptroller or Treasurer, and shall bear interest from the first Tuesday in February following.

**Itemized receipt.**

SEC. 57. *Be it further enacted*, That said County Trustee shall give to each tax-payer an itemized receipt for all the taxes by him paid, and shall at the same time note on his tax-book the amount so paid,

and when paid, and in what sort of funds paid, and the same shall also be noted on the receipt given to the tax-payer; and the County Court for each county in this State shall furnish the County Trustee, or other tax collector of said county, with a sufficient number of tax receipts, printed in duplicate and blank form in a book or books, and duplicate receipts shall be preserved in the book to be submitted to the County Court by the tax collector whenever required to do so, and said receipt book of duplicates, when filled, shall be filed in the office of the County Court Clerk for reference, and shall be receipted for by the Clerk and carefully preserved in his office as a record for the protection of the tax-payers who have paid their taxes and lost or misplaced their receipts.

SEC. 58. *Be it further enacted*, That hereafter (commencing with the taxes for the year 1887), it shall be the duty of the County Trustee, on the first Tuesday of February next, or as soon thereafter as practicable following the receipt of tax-book, to make out and deliver to the Constable of each civil district in his county a certified list of all delinquent taxes due in said Constable's districts, and said lists shall include a description of said property as appears on the tax-books. These lists shall have the force and effect of executions from a court of record, and shall be authority for the officers to whom issued to collect the unpaid taxes therein specified, the commissions, and the costs, and to levy upon and distrain and sell personal property anywhere in his county sufficient to pay the taxes and all costs, commissions, interest, and penalties; and in all cases where the officer cannot find personal property or sufficient personal property to satisfy said taxes, he is authorized to proceed by garnishment process, returnable before some acting Justice of the Peace on the first Monday of the month succeeding the service. The proceedings on the return of such garnishment process shall be as provided in cases of garnishment on executions, and the judgment, if upon the answer of the garnishee the judgment shall go against him, shall be in the name of the Trustee. For the use of, and for making out these certified lists, the Trustee shall be allowed a fee of ten cents for each name appearing thereon, to be taxed with the costs; *Provided*, The Trustee, if he so elect, deliver the delinquent list to a special deputy, to be by him appointed for the particular dis-

Trustee to de-  
liver to Consta-  
ble certified list  
of delinquents.

Delinquent taxes for 1886-87

Selection of Constables.

Special deputies for delinquent taxes.

Time for collecting delinquent taxes.

Compensation of Constables.

trict, which deputy shall give bond, to be approved by the Trustee; *Provided further*, The Trustee may at any time before July 1st, 1887, make out and deliver to the Constable or deputy, as herein provided, certified lists of delinquent taxes for the years 1885 and 1886.

SEC. 59. *Be it further enacted*, That where there is more than one Constable in any civil district, then shall the Trustee elect to which of them said lists shall be issued, or the same may be divided up between said Constables as the Trustee may determine; and it shall be the duty of any Constable to whom a delinquent list is tendered by the Trustee, to receive and proceed to execute the same as in this Act provided for.

SEC. 60. *Be it further enacted*, That if there be no Constable in any civil district, then the Trustee is required, and he is hereby empowered, to appoint special deputies, either one or more for each district, or one or more for several districts together; the deputies thus appointed are empowered to enforce the collection of taxes specified in said lists, and they are vested with the same powers as given the Constables in Section 58 hereof, and the Trustee, failing to find and to appoint a suitable person for any district, for the collection of said delinquent taxes, shall be required to collect the same in person, and for this purpose he is invested with all the power and authority of a Constable, and the same liability shall attach on his failure to collect the same; *Provided*, That the Trustee may turn over to the Constable said delinquent list, if the amount of said delinquent taxes is not in excess of the amount of the official bond of said Constables without additional bond, and that said Constables so receiving said delinquent lists shall be held liable under the penalties of their said official bonds, for amount of said delinquent taxes so collected and not accounted for according to law.

SEC. 61. *Be it further enacted*, That the Constables and deputies shall collect and pay over the taxes in the delinquent lists specified, or make due return as required by law, in case of executions, by the first Monday in June. On their failure to do so they shall be liable by motion on their bond.

SEC. 62. *Be it further enacted*, That, as compensation for his services, each Constable or deputy shall

be entitled to a fee of fifty cents when levy is made and is collected, or twenty-five cents when, after levy is made, he is legally prevented from collecting, or no levy is made, to be collected from each delinquent tax-payer, and to four per centum commission on the amount by him collected, to be paid by the tax-payer. When the Constable collects he shall give a receipt and retain a duplicate, which is to be returned with the delinquent list, and the list so returned with duplicate receipt shall be filed in the Trustee's office. After giving out the delinquent lists to the Constable, the Trustee may collect and receipt for any such taxes as may be included therein; *Provided, however,* He shall also collect the Constable's fees and all cost and commissions, and pay same over to proper Constable.

SEC. 63. *Be it further enacted,* That on the first Monday in July, 1887, or as soon thereafter as possible, the County Court Clerks shall deliver to attorneys, to be appointed by the State Comptroller for this purpose, in the various counties of the State, a certified statement of all taxes on realty remaining delinquent upon the tax-books for the years 1884, 1885, and 1886, for which the County Trustee has received credit from the County Court, as hereinafter provided, together with all costs, fees, damages, penalties, and interest; and said Clerk shall hereafter in like manner, on the first Monday in July of each year following the year for which the taxes are due, or as soon thereafter as possible, deliver to said attorney a certified statement of all taxes on realty remaining delinquent for each subsequent year for which the County Trustee has received credit from the County Court as hereinafter provided. Said statement shall not be delivered by the County Court Clerk to said attorney until the said attorney has first entered into bond, to be approved by the Chairman or Judge of the County Court, or the State Comptroller, for double the amount of the taxes shown by said certified statement to be due, conditioned for the faithful discharge of his duty as to the collection and accounting for said revenue to the proper officers of the State and county. The statement shall show each tax, fee, item of damages, costs in detail, also the aggregate of each; also the sum total as hereinafter provided. The statement so furnished by the Clerk to said attorney shall be in book form, and arranged as to wards, districts, etc., in the same manner as is provided herein for the

County Court  
Clerk to deliver  
to attorneys cer-  
tified statement  
of delinquents.

arrangement of the tax-books as furnished the Trustee by the County Court Clerk, which said statement or book is to be kept by the attorney as a part of the official records of his office, and on which he is to indorse the dates of payment, as also the names of parties making same, in redeeming or obtaining release of the State and county liens for the tax. Said attorney is also to keep a separate record, on which he is to enter in item the amount of revenue collected by him from each piece of property, showing the name of the party to whom assessed, as well as the name of the party redeeming, the year for which payment is made, also the date of payment, from which book he will furnish at the dates, as herein specified, a report to the Comptroller of the State and Chairman or Judge of the County Court, showing the amount of revenue collected by him for each, respectively, which he will account for as herein required.

**Attorneys to file bills.** SEC. 64. *Be it further enacted*, That as soon as practicable after the receipt by the attorneys of the statement provided for in the section next preceding, and with all proper dispatch, he shall prepare and file bills in the Chancery or Circuit Court of the district in which the land is situated, for the purpose of enforcing the lien for the taxes respectively. The bills as to State taxes shall be filed in the name of the State of Tennessee, as to county, school, railroad, special taxes, in the name of the county in which the land is situated. Several pieces of property may be embraced in the same bill, and the bill shall not be objectionable on account of the number of parties made defendants thereto, and all parties having an interest in the property, and all parties necessary to enable the Court to enforce the lien and divest title, and vest the same in the purchaser, may be made parties defendant. The bill shall include all State, county, school, railroad, road, and special taxes due and unpaid on the property at the time of the filing thereof. The municipal corporations or taxing districts in which the land is situated may, in their corporate capacity, be made parties defendant, so that the taxes due them may be ascertained. After the receipt of said delinquent list by said attorney, and before the filing of any bill as herein provided, he is hereby authorized to release any and all claims or liens for taxes due the State or county on payment by the owner the amount of the original tax and in-

**Attorney authorized to release lien on payment of tax, etc.**

terest, together with such costs, etc., as have accrued, and will charge such parties a fee of ten per cent. on amount collected will be allowed said attorney as compensation for his services, and the receipt or release of said attorney will be a full acquittance to said parties of all liens for taxes due the State and county on the property so released. After the bill is filed as herein provided, and before sale of the property, payment may be made to the attorney, and he will be allowed the same fee as provided in case of decree, upon payment to him the amount of tax and interest with such costs as have accrued. When property is sold under decree, out of the purchase-money shall be paid, first, all the costs of court, including a tax fee of \$3.00 to the attorney for each piece or parcel of land so sold, and ten per cent. on amount collected, and a fee of fifty cents to the Trustee for each piece or parcel of land. Then shall be paid all the taxes, being a lien at the time of the sale, State, county, school, railroad, special, public road, and municipal or taxing district taxes, in the order of priority as provided by law; the State tax and other taxes to the officers respectively entitled to receipt for the same. The surplus, if any, shall be paid out under the order of the Court to the parties entitled thereto; *Provided*, That when bills are pending for the collection of taxes due for former years on any property shown in said statements, it may be optional with said attorney either to file an original bill or to proceed in said cause so pending by petition, as he may deem best; *Provided*, That the attorneys may include in each bill as many tracts as they see proper; and the number of parties sued shall not effect the validity of the proceedings; *Provided further*, That no State or county tax shall be taxed to such proceedings; provided no fee shall be charged on the municipal taxes collected, provided such municipality is represented by its own attorney.

**Sec. 65. Be it further enacted**, That the bills filed as directed in this Act shall be in the name of the State <sup>Bills filed to be in the name of the State.</sup> for itself and for the use of the county, municipality, etc. Said bill shall be in substance and form the same as other bills filed in Chancery or Circuit Courts, and shall show by exhibits the name of the party to whom the property is assessed for the years for which taxes are claimed, and the respective interests of the parties, the State, the county and municipality in said

taxes, together with such costs, fees, penalties and interest as have already accrued thereon. Such exhibits are to be true copies from the books or statement furnished by the County Court Clerk, and shall be *prima facie* evidence of the facts contained in said exhibits, and shall be signed by said attorney, which shall be proper and sufficient authority for the filing of same in said courts, and no bond shall be required on filing the same, no defendant shall be entitled to a copy of the bill without applying to the Clerk and paying for such copy, nor shall it be necessary that all the defendants' names be included in the copy of the subpœna to be left with said defendant, or in publications for non-residents. Said cause shall be at issue as to any defendant whenever his or her answer is filed or *pro confesso* has been taken against them, and the cause may be proceeded with by or against anyone or more of the defendants to final judgment, sale, and confirmation without in any way

**Right of appeal to the Supreme Court.** affecting any other party to the suit. Any party to the suit shall have the right to appeal to the Supreme Court or to writ of error or appeal in the nature of a writ of error, and such appeal in the nature of a writ or error, or writ of error shall not affect the proceedings as to other parties, provided no appeal in the nature of a writ of error or writ of error shall be allowed except from a final decree. Advertisements for sales under this Act shall embrace all property then decreed to be sold under this Act.

**Advertis- ments.** **Clerk to certify to Trustee style of cause, etc.** SEC. 66. *Be it further enacted*, That upon the filing of each bill as herein provided the Clerk of the Chancery or Circuit Court shall, and it is hereby made his duty to, certify to the Trustee the style of the cause, the rule number, the date of the filing, the taxes claimed as shown from the exhibits; and the Trustee shall enter a memorandum of the certificate on the original tax book opposite the name of each tax-payer, and shall file the certificate. For such certificate the Clerk shall be entitled to a fee of fifty cents, to be taxed with the costs.

**Attorneys to re- port collections.** SEC. 67. *Be it further enacted*, That the attorney appointed under Section 63 of this Act shall make a report of all collections made by him to the lawful parties authorized to receive and receipt for same on the 1st day of June and December of each year.

SEC. 68. *Be it further enacted*, That hereafter the Trustees in office shall turn over to their successors,

when duly elected and qualified, all the tax-books and all other books, records, etc., of his office.

Sec. 69. *Be it further enacted*, That the books of the Trustees shall have a separate column or columns opposite the name of each tax-payer to show in proper order the date of issuance of the delinquent lists, which are in themselves distress warrants, as heretofore provided, and number of bill filed.

Sec. 70. *Be it further enacted*, That the compensation of the County Trustee for receiving and paying over to the rightful authorities all moneys received by him shall be 6 per centum on all sums up to \$10,000, and 4 per centum on all sums above \$10,000 and up to 20,000, and a commission of 2 per centum on all other sums; *Provided*, That in computing the compensation of the Trustee, all funds, State and county, except as hereinafter provided, shall be taken and estimated as one, and each shall pay their respective portions of the above commission on all sums of money received by said Trustee for said State and county and all corporations where the taxes are collected by the County Trustee; *Provided further*, That the school fund, road fund, and all sums paid to him by Clerks, Justices of the Peace, and other collecting officers, and upon which he is now and shall be allowed special commissions, shall not be included; *Provided further*, That at the time of settlement with the Comptroller of the Treasury and County Trustee and the computation of commission on collections, said Trustee shall furnish the Comptroller with a certified statement from the Judge or Chairman of his County Court, showing the amount actually collected by him and paid into the County Treasury as heretofore provided; *Provided further*, That the Trustee shall not be entitled to any commission on moneys turned over to him by his predecessor in office; *Provided also*, That in no case shall his compensation exceed \$5,000 for the collection of State and county taxes proper, but the County Court in counties of 60,000 inhabitants or over may allow such clerical assistance to the Trustee as it may deem just and equitable.

Sec. 71. *Be it further enacted*, That on the first Monday in March, and on the first Monday in each month thereafter, the Judge or Chairman of the County Court, for his county, and the Mayor or other proper authority of each municipality as have taxes

Compensation  
of Trustee.

collected by the Trustee, except taxing districts of the first class, as to which the funds shall remain as now provided by law, shall settle with the County Trustee and ascertain what balance is due from him to the county and municipality, respectively; and said Mayor, or other proper authority of such municipality, shall demand the balance due his municipality, and if the same is not paid, shall forthwith move against said Trustee on his official bond for such balance. In making said settlement the Judge or Chairman and said proper municipal authority respectively, shall allow the Trustee all credits to which he is entitled by law.

Quarterly Court  
to appoint a  
committee to  
examine settle-  
ments.

SEC. 72. *Be it further enacted*, That the Quarterly Courts, at their January term, shall appoint a committee of three competent citizens, not members of the County Court, who shall hold office for twelve months, whose duty it shall be to critically examine all settlements made by the County Judge or Chairman of the County Court with the various revenue officers of the county, and to report in writing, under oath, the result of their investigation to the Quarterly Court; and for such services they shall each receive \$2 for each settlement examined and reported upon; *Provided*, That for the examinations of reports of revenue collected by Justices of the Peace, they shall only receive \$2 for examining all reports made by each Justice during the twelve months.

Settlements to  
be spread upon  
minutes of  
Court.

SEC. 73. *Be it further enacted*, That the settlements made by said Judge or Chairman, and committee of the Court, shall be spread upon the minutes of the Court, and shall specify every credit allowed said officers for errors, removal, double taxation, and such other credits as are now allowed by law, except compensation to Trustees.

Assessment not  
invalid on ac-  
count of errors.

SEC. 74. *Be it further enacted*, That no assessment shall be invalid because the number of acres, or the size and dimensions of any tract, lot, or parcel of land has not been precisely named, or the amount of the valuation or tax not precisely given, nor because the property has been assessed in the name of a person who did not own the same, nor because the same was assessed to unknown owners, nor on account of any objection or informality merely technical; but all such assessments shall be good and valid.

List of errors,  
etc.

SEC. 75. *Be it further enacted*, That, commencing with the taxes for the year 1886, and annually there-

after at the July term of the County Court, but not later, of the year succeeding the year for which the taxes are due, the Trustees of the several counties of the State shall present a complete and accurate list of all clerical errors, double assessments, removals, and polls, and all assessments on personal property where the taxes could not be collected, all for the preceding year, with the reasons assigned why all of said taxes have not been collected. The said County Court shall carefully consider said list, denominated errors, etc., and if just shall allow the same, or so much thereof as shall meet the approbation of the Court, and shall order a credit for such an amount as they may deem just and proper, and an itemized list of such credits allowed to the Trustee shall be spread upon the minutes of the Court, and a certified transcript of same under seal of said Court, shall be furnished the proper authorities by the Clerk of said Court, which shall entitle the Trustee to a credit in settlement of his accounts with State, county and municipality and said transcript shall set forth in full why such credits are allowed.

County Court to audit list and allow credits.

Sec. 76. *Be it further enacted*, That, commencing with the taxes for the year 1886, and annually thereafter, at the July term of the County Court, but not later, of the year succeeding the year for which the taxes are due, the Trustees of the several counties of the State shall present a complete and accurate list or statement, sworn to by the Trustee as being a true copy, as appears from his tax-books, showing the delinquent realty tax for the preceding year, viz.: Value and each tax, fee, items of damages, costs, in detail; also the aggregate of each; also the sum total, so that the same may be compared and examined by the Court, and so that proceedings by motion or otherwise, may be had against the Trustee for failure to collect if he could have collected and for failure to make the proper returns. And said report of the Trustee shall be accompanied by his affidavit that no personal property could be found after using all legal means out of which to make said taxes, and the County Court shall carefully consider same, and allow so much of same as shall meet the approbation of the Court as being just and proper, but in no instance shall the County Court allow said Trustee a credit exceeding the amount contained in his report (accompanied by affidavit), as herein provided, and a list

Trustee to present sworn statement to County Court.

itemized as heretofore provided, of such credits as are allowed to the Trustee under this section, shall be spread upon the minutes of the Court, and a copy of same certified to by the County Clerk under the seal of his Court shall be by him furnished to the attorneys as heretofore provided, who shall give three or more receipts, as may be needed to said County Court Clerk, for same, to be signed in presence of, and to be attested to by, the Clerk under seal of his Court, one of which receipts shall be retained by said Clerk for his own protection, the others to be forwarded by said Clerk to the proper officers with whom by law the Trustee is required to settle, and said receipts shall entitle said Trustee to a credit on his accounts with the State, county, or municipality, as the case may be, in making his final settlements and the attorneys, as heretofore provided, shall be charged with the amount set forth in said receipts, by the proper officers.

Compensation  
of County Court  
Clerk.

SEC. 77. *Be it further enacted*, That as compensation for the service rendered by the Clerk of the County Court, as required by the two preceding sections, he shall receive a reasonable fee, to be fixed upon and determined by the County Court and paid by the county.

Trustee to make  
monthly settle-  
ments.

SEC. 78. *Be it further enacted*, That said Trustee shall make monthly settlements with the Comptroller of the State, and with the Judge or Chairman of the County Court, and with the financial agent, or Treasurer, of each municipality, and pay over to the same the amounts shown by the respective settlements, to be due each. The Trustee shall make under oath, a full and complete statement on the first Monday of July of the condition of his office, setting out the amount of taxes collected, amount not collected, giving State, county, and school taxes separately, and a full statement of the disbursements of the same, and amount on hand, and shall cause the same to be published in a paper published in the county, and if no paper is published in said county, to cause it to be published in the paper published nearest the county site.

Trustee to sub-  
mit statements  
to Comptroller  
on or before first  
Monday in Sep-  
tember.

SEC. 79. *Be it further enacted*, That each and every Trustee shall, on or before the first Monday in September, submit the statements heretofore provided to the Comptroller of the Treasury for the purpose of making settlements and accounting for all taxes and

damages, penalties, fines, and interest by him collected for and on behalf of the State, and on such settlements shall be allowed credit as herein provided, and none other.

Sec. 80. *Be it further enacted*, That each and every Trustee shall, on or before the time named in the preceding section, submit his account as County Trustee to the Judge or Chairman of the County Court for the purpose of making settlements and accounting for all taxes and penalties, and all other county revenue collected by him for and on behalf of the county; and on such settlements shall be allowed credits as provided herein, and all credits provided for in Chapter 139, page 180, Acts of 1879, and all other proper credits to which he is entitled by law.

Sec. 81. *Be it further enacted*, That each and every Trustee shall, on or before the first Monday in September of each year, submit the statements heretofore provided in this Act to the Mayor, Recorder, or President of any town, city, or taxing district for the purpose of making final settlements and accounting for all taxes, etc., by him collected on behalf of same; and on such settlements he shall be allowed credits as herein provided, and all other credits allowed by law.

Sec. 82. *Be it further enacted*, That any and all parties violating the provisions of this Act upon whom no penalty has been heretofore prescribed for so doing, shall be guilty of a high misdemeanor, and upon conviction thereof shall forfeit and pay to the State not less than \$50 nor more than \$500; and where any Trustee, Constable, or other officer whose duty it is to collect any taxes under the provisions of this Act fails to pay over or account for any and all taxes they may have, or ought to have collected, to the proper officers, in addition to the above penalties, they shall be liable to a penalty of fifteen per cent. on same, which is in nowise to be remitted after the matter is placed in the hands of an attorney, and shall, in addition, forfeit their respective offices.

Penalty for violating this Act.

Sec. 83. *Be it further enacted*, That this Act shall not be so construed as to prevent towns acting under charters of incorporation from providing for the assessment and collection of taxes in pursuance of their charter, for municipal purposes, if such cities or towns have their own Tax Collector.

Sec. 84. *Be it further enacted*, That Chapter 81 of the Acts of 1875, entitled "An Act to amend all laws

for the assessment and collection of revenue," and Chapter 73 of the Acts of 1877, entitled "An Act to amend all laws for the assessment of property," and Chapter 245 of the Acts of 1879, entitled "An Act to repeal an Act passed March 23d, 1877, and to amend revenue laws of the State, and to amend the Act passed March 23d, 1875, entitled 'An Act to more cheaply collect the State, county, and municipal revenue,'" and Chapter 171 of the Acts of 1881, entitled "An Act to provide more just and equitable laws for the assessment and collection of revenue for State and county purposes, and to repeal all laws now in force whereby revenue is collected from the assessments of real estate, personal property, privileges, or polls so far as they conflict with this Act," also Chapter 105 of the Acts of 1883, approved March 30th, 1883, and Chapter 1, Acts of 1885, approved April 9th, 1885, entitled "An Act to provide more just and equitable laws for the assessment and collection of revenue for State, county, and municipal purposes; and to repeal all laws now in force whereby revenue is collected from the assessment of real estate, personal property, privileges, and polls;" and all Acts and parts of Acts upon the subject of assessment and collection of taxes and sale of land for taxes in conflict with the provisions of this Act, and all other Acts in conflict with the provisions of this Act, also Chapter 28 of the Acts of the General Assembly, second extra session of 1882, approved April 27th, 1882, be, and the same are hereby, repealed. This repeal shall operate as to all taxes assessed under this Act, but shall not operate so as to interfere with taxes assessed prior to the passage of this Act, except as hereinbefore especially otherwise provided.

SEC. 85. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 3.

**AN ACT** to enable counties and incorporated cities, and towns to subscribe to the capital stock of any railroad company incorporated under the general laws of this State, in the mode prescribed therein, and to provide for the payment of such subscriptions.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That any county, incorporated city, or town, may become stockholders.* Any county, incorporated city, or town, may become a stockholder in any railroad company incorporated under the general laws of this State, to an amount not exceeding, in the aggregate, one-tenth of its taxable property, by complying with the requirements of this Act.

**SEC. 2.** *Be it further enacted, That no county, incorporated city, or town, shall subscribe to the capital stock of any railroad company under this Act, unless its railroad shall run through the county, or within one mile of the incorporated city or town, making the subscription; Provided, Any county within which the railroad, or any of its branches, terminates may subscribe under the provisions of this Act.*

**SEC. 3.** *Be it further enacted, That before any county shall make any subscription under the provisions of this Act, the President or other authorized officer or agent of the railroad company shall submit to the Chairman or Judge of the County Court, as the case may be, of the county, an application in the name of the company, setting forth the proposed *termini* of its railroad, the amount of the subscription asked for, the time within which its road will be constructed through the county, and that the application is made under this Act; and the same shall be accompanied by a plan or map, certified by the chief engineer of company, showing the general direction, and line of its railroad in the county. And before any incorporated city or town shall make any subscription under the provisions of this Act; such application must be submitted to its Mayor, or chief executive officer, showing the proposed *termini* of its railroad, accompanied with the declaration on the part of the company, that it will locate and construct its railroad within one mile of such incorporated city or town, within such time as shall be fixed in the application.*

President to submit application, giving termini, etc.

Duty of Judge  
of County  
Court.

SEC. 4. *Be it further enacted*, That upon the presentation of the application, with the accompanying plan or map, as provided in the third section of the Act, it is made the duty of such Chairman or Judge of the County Court, as the case may be, to give ten days' notice to each and every Justice of the Peace of his county to assemble at the Court-house of the county in order to take action on such application. And if at such special meeting of the County Court a majority of the Justices in commission shall be of the opinion that an election should be held in the county to determine whether or not the county should make the subscription applied for, the Court shall so order. And in like manner, upon the presentation of the application to the Mayor or other chief executive officer of any incorporated city or town, accompanied with a declaration on the part of the company that its line of railroad shall be located and constructed within one mile of such city or town, as provided in the third section of this Act, then it is made the duty of such Mayor or chief executive officer, to convene the Board of Mayor and Aldermen, or other governing or representative body of such city or town, and submit such application for its consideration; and should a majority of the Board of Mayor and Aldermen, or other governing or representative body of such city or town, be of the opinion that an election should be held in the same to determine whether or not such city or town should make the subscription, it shall so order.

Application,  
etc., to be  
recorded.

SEC. 5. *Be it further enacted*, That the County Court, or Board of Mayor and Aldermen, or other governing body, as the case may be, shall spread upon its records the application and accompanying plan, or map, or declaration, as the case may be, and the amount to be voted upon by the people, and shall have full power to order such elections according to the laws regulating elections in this State.

Election to be  
advertised  
thirty days.

SEC. 6. *Be it further enacted*, That the election shall be advertised at least thirty days beforehand by notice posted up at the different places of voting, specifying the time it is to be held, for what railroad, and the amount of stock proposed to be taken.

Duty of officer  
holding elec-  
tion.

SEC. 7. *Be it further enacted*, That the Sheriff or other officer whose duty it is, or may be, to open and hold elections, shall open and hold an election at every voting place established by law, in such county,

city, or town, and his certificate of the result of said election to the County Court or to the proper authorities of such city or town, shall name, in writing, every established voting place at which an election was opened and held, and every one at which an election was not held. And if it shall appear that the election was not opened and held in every voting place, then said election shall be declared null and void, and of no effect, unless it shall be made to appear to the satisfaction of the County Court, or city or town authorities, that said officer, or his deputy, was present at such voting place on the day and hour required by law, and did endeavor to procure judges and clerks to hold said election, and that he was positively unable to do so, and the election at said precinct could not be held for the want of judges and clerks to hold it.

Sec. 8. *Be it further enacted*, That at the election <sup>style of ticket</sup> thus held those voters who are in favor of the subscription shall put upon their tickets the words, "For subscription;" and those opposed, "No subscription."

Sec. 9. *Be it further enacted*, That it shall be the <sup>duty of governing body</sup> duty of the County Court, or the Board of Mayor and Aldermen, or other governing body of such city or town, as the case may be, to convene on the call of its presiding officer, for the purpose of acting on the return of the Sheriff, within ten days after such election, and if it shall appear that the same was in all respects fair, and that three-fourths of the votes cast at such election were in favor of subscription, then it shall have full power, and shall proceed to make and execute all necessary orders, and take such action as may be required to make the subscription effective, according to the terms thereof and the provisions of this Act.

Sec. 10. *Be it further enacted*, That should any county, town, or city fail to vote the subscription to any railroad at any election held for the purpose, said county, city, or town may at any time, after thirty days, order another election if desired by the railroad company.

Sec. 11. *Be it further enacted*, That such subscription of any county or incorporated city or town shall not become due and payable unless said railroad company shall have constructed and put in operation within the time fixed in the application, and substantially in the direction and on the line as shown in <sup>when subscription shall become payable</sup> Digitized by Google

said plan or map, that portion of its railroad located within the county making the subscription, or that portion of its railroad located within the county in which is situated the incorporated city or town making the subscription, as the case may be; *Provided*, That any county, incorporated city or town making a subscription under the provisions of this Act, may, in addition to the restrictions imposed by this section, stipulate with the railroad company that its subscription shall not become due and payable until the company shall construct its road to such points, or for such distances, as may be agreed upon.

**May issue bonds in payment.**

SEC. 12. *Be it further enacted*, That when such subscription shall become due and payable, as provided in Section 11 of this Act, the county, or city, or town making the subscription shall make and execute its coupon bonds for the amount of such subscription, payable not more than twenty years after date, and bearing interest at such rate as may be agreed upon, not exceeding six per cent. per annum, payable semi-annually, and deliver the same to the railroad company; *Provided*, That such county, city, or town may pay such subscription in cash at maturity, if it shall so elect.

**Tax levied to pay principal and interest.**

SEC. 13. *Be it further enacted*, That when the subscription so made becomes due, as provided in Section 11 of this Act, it is made the duty of the County Court, or corporate authorities, as the case may be, on the receipt of the certificates of stock, as hereinafter provided, to levy, from time to time, such taxes upon the taxable property, privileges, and persons liable by law to taxation within the county or corporate limits, as the case may be, as will be sufficient and necessary to meet the maturing interest on the bonds of such county, town, or city, and to provide for the payment of the principal; *Provided*, That no tax to pay such subscription exceeding twenty-five per cent. of the amount subscribed shall be levied in any one year.

SEC. 14. *Be it further enacted*, That the taxes prescribed in Section 13 of this Act shall be levied and collected as other county, town, or corporation taxes, and paid into the treasury of the county, city, or town, as other taxes.

**Certificates of stock.**

SEC. 15. *Be it further enacted*, That the railroad company shall, when the subscription becomes due and payable, as prescribed in Section 11 of this Act, make out and deliver to the county, city, or town, as the

case may be, certificates of its capital stock amounting to the subscription, and said certificates shall be held, owned, and voted by such county, city, or town as by other stockholders, and the said certificates of stock, and dividends and profits thereon, and the public benefits derived from the construction and operation of the railroad, shall be in full consideration of such subscription and the benefits derived therefrom by the railroad company.

**SEC. 16.** *Be it further enacted*, That nothing in this <sup>Act construed.</sup> Act is intended, or shall prevent, any county, incorporated city, or town from subscribing to the capital stock of railroad companies in the mode heretofore provided by law, the object of this Act being to provide an additional method or plan by which such subscriptions may be made without repealing existing laws.

**SEC. 17.** *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed February 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 17th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 4.

### AN ACT to amend Section 1900 of Milliken & Vertrees' Code.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That Section 1900 of Milliken & Vertrees' Code, which, is viz.: "The said five or more corporators, shall within a convenient time after the registration of the charter in the office of the Secretary of State, elect from their number a President, and Secretary, and Treasurer, or the last two officers may be combined into one, and shall not necessarily be stockholders, said President and other corporators to constitute the first Board of Directors," be, and the same is hereby, amended so as to read as follows, to-wit: "The said five or more corporators, a majority of whom may act, shall within a convenient time after the registration of the charter in the office of the Secretary of State, elect from their number a President, and Secretary, and Treasurer, or the last two officers may be combined into one, and shall not necessarily be stockholders, said President and other corporators to constitute the first Board of Directors.*

**SEC. 2.** *Be it further enacted, That this Act shall go into effect from and after its passage, the public welfare requiring it.*

Passed February 14th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP.  
*Speaker of the House of Representatives.*

Approved February 15th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 5.

**AN ACT** to change the time for holding the courts in the Seventh Chancery Division, and to amend Section 5, Chapter 20, of the Acts of the Extra Session of the General Assembly of the State of Tennessee, passed June 11th, 1885, and approved June 12th, 1885, and styled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and to fix the time for holding the terms of said Chancery, Circuit, and other courts.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That Section 5 of Chapter 20, of the Acts of the General Assembly of the State of Tennessee, passed at the extra session on June 11th, 1885, and approved June 12th, 1885, be, and the same is hereby, so amended as to fix the time for holding the Chancery Courts in the Seventh Chancery Division, and in the various counties composing said Chancery Division, as follows, to wit:

Giles—First Monday in February and second Monday in August.

Hickman—Fourth Monday in February and first Monday in September.

Dickson—First Monday in March and second Monday in September.

Benton—Third Monday in March and fourth Monday in September.

Maury—First Monday in April and first Monday in October.

Lewis—Thursday after the first Mondays in May and November.

Perry—Second Mondays in May and November.

Decatur—Third Mondays in May and November.

Hardin—Fourth Mondays in May and November.

Wayne—First Mondays in June and December.

Lawrence—Second Mondays in June and December.

**Sec. 2.** *Be it further enacted,* That all bonds shall be taken and all process made returnable to the courts at the times and places fixed for holding the same in the foregoing provisions of this Act; and all such bonds and recognizances taken at or after the last term of said courts, as held under the existing laws of this State, and all process issued or bonds taken after that time—viz., the last term of said courts—Digitized by Google  
Bonds and process, when returnable.

shall be made returnable to the next first term of said courts to be held under the provisions of this Act, and the same shall be held to be valid and binding in law; *Provided*, This Act does not change the time of holding the Chancery Court of Giles County until after the first Monday in April, 1887.

*Acts repealed.*

SEC. 3. *Be it further enacted*, That all acts and parts of acts of the General Assembly of the State of Tennessee in conflict with the provisions of this Act be, and the same are hereby, repealed.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 16th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 6.

AN ACT authorizing the Board of Mayor and Aldermen of the city of Chattanooga, Tenn., and the owners thereof, to grant to the United States a site for a Custom-house and other public buildings, and ceding the jurisdiction to the United States of the grounds so granted.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Board of Mayor and Aldermen of the city of Chattanooga, Tenn., and the owners of said land be, and they are hereby, authorized to grant to the United States a certain tract of land situated in the Fourth Ward of the city of Chattanooga, Hamilton County, Tenn., being on the Northwest corner of "A" and Eleventh Streets in said city,

and bounded on the south by Eleventh Street, on the east by "A" Street, on the north by the street extending through to "A" Street, and on the west by the street extending through from Eleventh to Tenth Street in said city, or such part thereof, not less than 150 feet on "A" Street and extending back 175 feet along and on Eleventh Street, as the owners may survey and designate, for the purpose of having erected thereon a United States Custom-house and other public buildings of the United States.

Sec. 2. *Be it further enacted*, That the jurisdiction of the said premises so to be granted to the United States for the said purposes be, and the same is hereby, ceded and granted by the State of Tennessee to the United States.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

**Adopted February 16th, 1887.**

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

**Approved February 28th, 1887.**

ROBT. L. TAYLOR,  
*Governor.*

5—Acts.

## CHAPTER 7.

**AN ACT** to amend an act passed June 11th, 1885, entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice and equity in the Circuit and Chancery, and other inferior courts of this State, and to fix the time for holding the terms of said Chancery, Circuit, and other courts.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That Section 5 of said Act, passed June 11th, 1885, and approved June 12th, 1885, be, and the same is hereby, so amended, that the Chancery Courts of Carroll County shall be held the first Mondays in February and August instead of the fourth Mondays in January and December.*

**Sec. 2.** *Be it further enacted, That all process heretofore issued and made returnable to the fourth Monday in January, 1887, of said Chancery Court, shall be deemed valid and binding.*

**Sec. 3.** *Be it further enacted, That all laws or parts of laws in conflict with this Act be, and the same are hereby, repealed.*

**Sec. 4.** *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed February 16th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 8.

**AN ACT** to amend an act entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice and equity in the Circuit and Chancery, and other inferior courts of this State, and to fix the time for holding the terms of said Chancery, Circuit, and other courts," passed June 11th, 1885, approved June 12th, 1885, Acts of Extraordinary Session of the General Assembly of the State of Tennessee, Chapter 40.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That Section 4 of the Act passed by the General Assembly of the State of Tennessee, in extraordinary session, on the 11th day of June, 1885, and approved June 12th, 1885, entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice and equity in the Circuit and Chancery, and other inferior courts in this State, and to fix the time for holding the terms of said Chancery, Circuit, and other courts," be so amended as to read as follows as to the Sixth Circuit:*

VanBuren—Third Mondays in April, August, and December.

Grundy—Fourth Mondays in April, August, and December.

Franklin—First Tuesdays after first Mondays in April, August, and December.

Coffee—First Mondays in January, May, and September.

Warren—First Thursdays after second Mondays in January, May, and September.

Moore—First Tuesdays after first Mondays in February, June, and October.

Lincoln—First Tuesdays after second Mondays in February, June, and October.

White—First Mondays of March, July, and November.

DeKalb—Third Mondays in March, July, and November.

**SEC. 2.** *Be it further enacted, That all bonds shall be taken and all process made returnable to the courts at the times and places fixed for holding the same in the foregoing provisions of this Act, and all such* Bonds and process, when returnable.

bonds or recognizances taken at or after the last term of said courts held under the existing laws of this State; and all process issued or bonds taken after that time—viz., the last term of said courts—shall be made returnable to the next first term of said courts to be held under the provisions of this Act, and the same shall be valid and binding in law.

*Acts repealed.*

SEC. 3. *Be it further enacted,* That all acts and parts of acts of the General Assembly of the State of Tennessee in conflict with the provisions of this Act be, and the same are hereby, repealed.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 16th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 9.

**AN ACT** to authorize the Mayor and Aldermen of the town of Gallatin, Sumner County, to borrow the sum of fifteen thousand dollars for the purpose of purchasing sites for, and erecting and furnishing public school buildings; and to issue interest-bearing negotiable bonds for said amount, and to levy and collect taxes for the payment of the same.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the Mayor and Aldermen of the town of Gallatin, Sumner County, be, and they are hereby, authorized and empowered to borrow the sum of fifteen thousand dollars, for the purpose of purchasing sites for, and erecting thereon buildings to be used as public school buildings for the use and benefit of the children of school age of said town, and to this end said Mayor and Aldermen of the town of Gallatin are hereby authorized and empowered to issue negotiable interest-bearing coupon bonds to the amount of said sum of fifteen thousand dollars, and to negotiate and sell the same for the purpose of raising the money to purchase sites, and erect, furnish, and equip public school buildings for the use and benefit of said town, but for no other purpose; said bonds shall be signed by the Mayor and Recorder of said town, and the corporate seal of said town shall be affixed to each before being issued; they shall be issued in such denominations as the said Mayor and Aldermen shall fix, and shall be payable at the end of ten years from the date of their issuance, or sooner, at the option of the Mayor and Aldermen of said town, and shall bear interest at the rate of six per cent. per annum, payable semi-annually, to be evidenced by coupons attached to each of said bonds. But said bonds shall not be sold or disposed of at less than dollar for dollar of their face value.*

**SEC. 2.** *Be it further enacted, That upon the issuance of said bonds in conformity with the foregoing section, they shall be a valid and binding debt and obligation of the Mayor and Aldermen of the town of Gallatin; and the Mayor and Aldermen of the town of Gallatin are hereby authorized and empowered to levy and collect annually, beginning with the year 1887, while said bonds, or any of them are out-*

*Tax to be levied to pay interest and retire bonds.*

standing, a special tax not exceeding the rate of twenty cents on the one-hundred dollars, assessed value, on all the taxable property within the corporate limits of said town, and taxable under the laws of the State for corporation purposes, and to levy and collect a special privilege or license tax upon all pursuits, avocations, and business carried on within the corporate limits of said town, required by the laws of the State to pay a privilege tax to the State, not exceeding the rate or amount of privilege tax on such business for State purposes, for the purpose of paying the interest on said bonds as it becomes due, and to create a fund with which to pay off and retire the bonds herein authorized to be issued.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 19th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 10.

**AN ACT to levy and collect taxes for the taxing district of Shelby County, Tennessee, for the years 1887 and 1888.**

**SECTION, 1. Be it enacted by the General Assembly of <sup>Annual tax on</sup> all property.** *the State of Tennessee,* That an annual tax is hereby levied on all taxable property—real and personal—including merchants' capital, capital invested, corporate stock, and capital stock of corporations within the territorial limits of said taxing district, as follows:

Twenty-eight (28) cents on the one hundred dollars to defray the expenses of the police department.

Thirty-five (35) cents on the one hundred dollars to defray the expenses of the fire department.

Fifteen (15) cents on the one hundred dollars, together with the poll-tax of \$1 per capita, to defray the expenses of the public schools of the district.

Ten (10) cents on the one hundred dollars to defray the expenses of lighting the district.

Thirty (30) cents on the one hundred dollars for paving and repairing streets, for building and repairing bridges and market-houses.

Fifteen (15) cents on the one hundred dollars for Board of Health and garbage service.

Twelve (12) cents on the one hundred dollars for sewers and drains.

Five (5) cents on the one hundred dollars for hospital service of the district.

Ten (10) cents on the one hundred dollars for building or repairing public school houses in said district.

Seventy-five (75) cents on the one hundred dollars in the eight original wards, and fifteen (15) cents on the one hundred dollars in the 9th and 10th wards as they existed when added to the original eight wards, for the purpose of paying the interest on bonds issued or stamped, or that may hereafter be issued or stamped, by said taxing district in compromising and funding the debt of the city of Memphis, under Chapter 170 of the Acts of 1883, and other acts, the same to be collected, deposited, and used as provided in said Act.

*Laws remaining in force.* SEC. 2. *Be it further enacted*, That all laws and parts of laws now in force, or that may hereafter be passed for the collection of other State taxes, shall be, and are hereby, declared to be in force for the collection of these taxes, and Section 2 of the Act commonly called the "Sewer Act," passed December 23d, 1879, at the extraordinary session of the Forty-first General Assembly of the State, be, and the same is hereby declared to be, in full force so far as applicable to the taxes here levied.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 19th, 1887.

Z. W. EWING,  
*Speaker of the Senate..*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 11.

AN ACT fixing the compensation of the County Trustees for collecting taxing district taxes, and authorizing taxing district authorities to settle controversies with County Trustees as to compensation due them from past collections of such taxes or other moneys of said district.

*Compensation of County Trustees.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all County Trustees who have imposed upon them the duty of collecting the taxes of taxing districts established under the Acts of 1879 and acts amendatory thereof, shall, in addition to the compensation allowed them for collecting State and county taxes, be entitled to receive one and one-half per cent. upon each dollar, of such taxing district taxes collected by them and paid over accord-

ing to law, and to one-half of one per cent. upon each dollar actually paid in to them by other officers, and paid over according to law by such Trustee.

SEC. 2. *Be it further enacted*, That in all cases where controversies have arisen between County Trustees and the authorities of such taxing districts as to whether any compensation is due, or as to the amount or rate of compensation due such County Trustees for collecting the taxes in past years due such taxing districts under the laws existing where said taxes were so collected, or upon other moneys of said taxing district received and disbursed by such Trustees, said taxing district authorities are hereby authorized and empowered to compromise and settle such controversies with such County Trustees; *Provided, however*, That not more than two and one-half per cent. on the dollar shall be agreed to or allowed by such taxing district authorities in any compromise or settlement made under this Act.

SEC. 3. *Be it further enacted*, That all acts in conflict with this Act are hereby repealed.

SEC. 4. *Be it further enacted*, That the public welfare requiring it, this Act shall take effect from and after its passage.

Passed February 19th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 12.

AN ACT to change and regulate the time of holding the Circuit Courts of the Fifth Judicial Circuit.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Circuit Courts for the

various counties composing the Fifth Judicial Circuit shall be held as follows:

Putnam—The second Mondays in January, May, and September.

Cumberland—The fourth Mondays in January, May, and September.

Fentress—The first Mondays after the fourth Mondays in January, May, and September.

Pickett—The second Mondays after the fourth Mondays in January, May, and September.

Overton—The third Mondays after the fourth Mondays in January, May, and September.

Clay—The fourth Mondays after the fourth Mondays in January, May, and September.

Jackson—The first Mondays in March, July, and November.

Macon—The third Mondays in March, July, and November.

Trousdale—The fourth Mondays in March, July, and November.

Smith—The first Mondays after the fourth Mondays in March, July, and November.

Sec. 2. *Be it further enacted*, That after one term of said court in each of said counties held in the year 1887, under the law now in force, shall have passed, all process from said courts for the counties respectively shall be returnable to the times fixed by this Act.

Sec. 3. *Be it further enacted*, That one term of said court for each of said counties in the year 1887, shall be held as now provided by law, and all subsequent terms shall be held at the times fixed by this Act.

Sec. 4. *Be it further enacted*, That all laws in conflict with this Act be, and the same are hereby, repealed.

Passed February 19th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 13.

AN ACT to fix the time for holding the Chancery Courts in the Third Chancery Division, and to authorize the Chancellor of that Division to try the Civil Docket of the Circuit Court in Hamilton County, and to authorize the Judge of the Fourth Judicial Circuit to hold certain Chancery Courts in the Third Chancery Division, and to change the time of holding the Circuit Courts in the Fourth Judicial Circuit, so as to enable the said Judge and Chancellor, by mutual co-operation, to dispose of all the business in said Courts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be special terms of the Circuit Courts of Hamilton County for the trial of civil cases, which may be held by the Chancellor of the Chancery Court of the Third Chancery Division of Tennessee, without any additional compensation being made for such service, holden at the times as hereinafter fixed by Section two (2) of this Act.

SEC. 2. *Be it further enacted,* That the special terms of Hamilton County Circuit Court for the trial of civil cases shall begin on the fourth Mondays of February, June, and October, and shall continue as long as necessary to dispose of the business pending; *Provided,* That no term of said court shall continue so as to conflict with any of the regular terms of the Chancery Court in any of the counties in the Third Chancery Division, except where such Chancery Courts may be held by the Judge of the Fourth Judicial Circuit, as hereinafter provided, and such conflict shall not in the least invalidate any proceedings had in the Circuit or Chancery Courts.

SEC. 3. *Be it further enacted,* That the terms of the Circuit Courts for the trial of criminal cases for Hamilton County shall remain the same as now provided by law, and shall be held by the Circuit Judge as at present provided by law.

SEC. 4. *Be it further enacted,* That for the purpose of trying civil cases pending in said Circuit Court as speedily as possible, the Judge herein authorized to try said civil docket may hold as many adjourned and special terms of said court as he may deem necessary. He shall have power to direct the continuance of cases to any of the adjourned or special terms, Judge authorized to hold adjourned and special terms.

and said Judges may interchange and hold any of said courts as now provided by law.

*Selection of  
jurors.*

SEC. 5. *Be it further enacted*, That whenever the Judge aforesaid appoints a special or adjourned term of said Circuit Court, it shall be his duty to make out and hand to the Clerk a list of names of twelve persons qualified to act as jurors, taken as near as may be from all portions of the county, who shall be summoned by the Sheriff upon a writ to be issued by the Clerk for that purpose. Said jurors to receive the same compensation as is provided by law for service of jurors attending Circuit Courts, and the parties litigant may have challenges peremptory and for cause as in other cases, and in case of challenge other parties may be designated by the Court to act and serve as jurors.

SEC. 6. *Be it further enacted*, That the County Court of Hamilton County shall appoint jurors to attend and serve at the special terms of said courts as now provided by law.

*Special terms  
to possess same  
authority as  
regular terms.*

SEC. 7. *Be it further enacted*, That at the special and adjourned terms herein provided for the Court shall have all the power and authority belonging by law to Circuit Courts at regular terms.

*How held in  
Bledsoe and  
Sequatchie  
Counties.*

SEC. 8. *Be it further enacted*, That in the counties of Bledsoe and Sequatchie there shall be two terms of the Chancery Court held annually, provided there shall be three terms of the Chancery Court of Polk and Meigs, said terms to be at the same time the terms of the Circuit Courts for said counties are held, as now fixed by this Act, or as hereafter may be fixed, and said Chancery Courts of said counties may be held by the Judge of the Fourth Judicial Circuit. The Chancery docket to be taken up and tried immediately upon finishing the Circuit Court docket, and any case may be tried or business done at any time during the time the Circuit Court is being held. The first day of the Circuit Court shall be the first day of the Chancery Court.

*Construction as  
to appoint-  
ments.*

SEC. 9. *Be it further enacted*, That nothing herein contained shall be construed as authorizing said Circuit Judge to make any appointments of Clerk and Masters, except special receivers and special commissioners as may be necessary in particular cases. Nor as authorizing said Chancellor to make any appointments belonging to the Circuit Courts except as to special receivers, special commissioners, and Attor-

ney-General *pro tem*, as now provided by law. But said appointments shall continue to be made by the Chancellor and Circuit Judge respectively as before the passage of this Act.

Sec. 10. *Be it further enacted*, That the Chancery <sup>Times of holding Chancery Courts.</sup> Courts for the Third Chancery Division of this State shall be held at the following times and places:

Bradley—Third Mondays in January and June.

Coffee—Second Mondays in January and June.

Grundy—First Mondays in January and June.

Hamilton—First Mondays in April and September.

James—Fourth Mondays in January and July.

McMinn—First Mondays in February and August.

Marion—Second Mondays in February and August.

Monroe—Third Mondays in February and August.

Rhea—Fourth Monday in March and first Monday in October.

Meigs—Three terms a year at same time as Circuit Court, which may be held by the Circuit Judge.

Sequatchie—Two terms a year at same time as Circuit Court, which may be held by the Circuit Judge.

Polk—Three terms a year at same time as Circuit Court, which may be held by the Circuit Judge.

Bledsoe—Two terms a year at same time as Circuit Court, which may be held by the Circuit Judge.

VanBuren—Three terms a year at same time of Circuit Court, to be held by the Circuit Judge of the Fifth Judicial Circuit.

Sec. 11. *Be it further enacted*, That the Circuit <sup>Times of holding Circuit Courts.</sup> Courts for the Fourth Judicial Circuit shall be held at the following times and places:

Bradley—First Mondays in January, May, and September.

Rhea—First Mondays in March, July, and November.

Marion—Fourth Mondays in March and July and the third Monday in November.

Hamilton—Third Mondays in January, May, and September for the trial of criminal cases and such civil cases as may be tried by consent of parties.

McMinn—Second Mondays in April, August, and December.

James—First Wednesdays after third Mondays in April, August, and December.

Polk—Three terms a year; fourth Monday in February, and first Moudays in August and December.

Meigs—Three terms a year; second Mondays in March and July, and fourth Monday in October.

Bledsoe—Two terms a year; first Monday in April, and second Monday in September.

Squatchie—Two terms a year; third Monday in March, and second Monday in November.

For the trial of civil causes in Hamilton County, the courts shall be held as provided in Section 2 of this Act.

Bonds and process, when returnable.

SEC. 12. *Be it further enacted*, That all bonds shall be taken, and all process heretofore or hereafter issued shall be, and are hereby made, returnable to the courts at the times and places fixed for holding the same in the foregoing provisions of this Act.

Duties of Clerks.

SEC. 13. *Be it further enacted*, That the Clerks of Circuit Courts in all the counties in which the time of holding the courts are changed by this Act, shall, at the times fixed, and preceding the times as fixed by this Act, open said courts, and in all criminal cases take recognizances from defendants therein to the next term of the court thereafter, as fixed by this Act, and if such defendants fail to appear and enter into recognizances for such appearance, then the Clerk shall have called out and enter up in due form judgment by forfeiture against such defendants, and issue *scire facias* against said defendants and their sureties, returnable to said next term, and thereupon adjourn the court to said next term as fixed by this Act, without the presence of the Judge, in the same manner as if the Judge were present at the time.

Interchange of business.

SEC. 14. *Be it further enacted*, That the Judge holding the regular terms of the Circuit Court in Hamilton County may also hear and try any civil business or causes that may be desired by consent of the parties, and the Judge holding the Court for the trial of civil business or causes at the special terms, as provided for in Sections 1 and 2, may also try any criminal cases which may be desired, by consent of the Attorney-General of the circuit and the defendant.

Laws repealed.

SEC. 15. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed, and that this Act take

effect from and after its passage, the public welfare requiring it.

Passed February 16th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 21st, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 14.

AN ACT to change the times for holding the Circuit Courts for Sumner County, in the Tenth Judicial Circuit, and to amend Section 4 of Chapter 20 of the Acts of the extraordinary session of the General Assembly of the State of Tennessee, passed June 11th, 1885, and approved June 12th, 1885, and entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice, and to fix the time of holding the terms of said Circuit, Chancery, and other courts."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Section 4 of Chapter 20 of the Acts of the General Assembly of the State of Tennessee, passed at the extraordinary session on June 11th, 1885, and approved June 12th, 1885, be, and the same is hereby, amended so as to read as follows: "The Circuit Courts shall be held in and for the county of Sumner on the third (3d) Mondays in February, June, and October of each year."*

SEC. 2. *Be it further enacted, That hereafter all bonds shall be taken, and all process be made returnable, to said Court at the times fixed in this Act for holding the same; and all bonds or recognizances taken at or after the last term of said Court as held under the existing laws of this State, and all process issued or bonds taken after that time—viz., the last term of said Court—shall be made returnable to the next first*

term of said Court to be held under the provisions of this Act, and the same shall be held to be valid and binding in law.

*Acts repealed.*

SEC. 3. *Be it further enacted*, That all acts or parts of acts of the General Assembly of the State of Tennessee in conflict with the provisions of this Act be, and the same are hereby, repealed.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 21st, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 15.

AN ACT to authorize street railway companies to extend their railways beyond the limits of the towns or cities in which they are located, and to condemn rights of way therefor as easements upon and over roads and turnpikes.

*Authority to  
condemn right  
of way*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That any street railway company which has been, or may hereafter be, incorporated and organized under the laws of Tennessee shall be authorized and empowered to extend its line or lines of railway over any road or turnpikes leading into such town or city; and for that purpose shall have the power, under the laws of this State in relation to the condemnation of property for works of internal improvement, to condemn and appropriate a right of way of sufficient width for such railway, with the necessary side-tracks, turnouts, turn-tables, and switches, as an easement upon or over any public road, highway, or turnpike; *Provided*, That the consent of the County Court of the county in which such

railway is situated be first obtained for such extension, and that such condemnation and appropriation shall be of an easement for such right of way, and not of the fee-simple in the soil; *Provided*, That any street railroad company shall not extend their tracks upon any turnpike under the provisions of this Act to within less than one-fourth of a mile of any toll-gate which is erected according to law upon such turnpike, without permission of such turnpike company; *Provided further*, That any railroad company acting under this law shall use such rails upon their extension as they are permitted to lay upon their road on the city or town portion of their line; *Provided further*, That any street railroad company extending its lines under the provisions of this Act, shall place their tracks upon such portion of the turnpike company's right of way as the jury of view condemning the property shall determine is for the best interest of the traveling public and all parties interested; *Provided further*, That any street railroad company, when laying their tracks on any turnpike or public road, shall make their road-bed and tracks conform to the grade of such turnpike or public road. They shall also put and keep in good repair that portion of their road which lies between their tracks and one foot on the outside of each track; *Provided further*, That the street railroad company shall be held responsible, under the laws of the State, for any accident which may result from any negligence on their part or of their agents acting under their authority; *Provided further*, That any street car company hereafter applying to the County Court for the privilege of extending its lines upon any turnpike or public road shall give the officials of the turnpike company or Road Commissioners five days' notice before making application for such right of extension.

Sec. 2. *Be it further enacted*, That this act take immediate effect, the public welfare requiring it.

Passed February 21st, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

*Distance restricted.*

*Kind of rails to be used.*

*Road-bed to conform to grade of turnpike.*

*Responsible for accidents.*

*Notification.*

## CHAPTER 16.

AN ACT to amend an act entitled "An Act to provide for the organization of corporations," passed March 19th, 1875.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 142 of the Acts of 1875, entitled "An Act to provide for the organization of Corporations, passed March 19th 1875, be, and the same is hereby, amended so as to authorize the incorporation of companies for building and operating inclined cable railroads or cog railroads for ascending mountain heights, with a maximum grade of not less than one thousand feet per mile, by stationary steam-power, or water-power, or locomotive power.

**Sec. 2.** *Be it further enacted,* That the form of a charter for an inclined cable railroad or cog railroad company for ascending mountain heights, with a maximum grade of not less than one thousand feet per mile, by stationary steam-power, or water-power, or locomotive power shall be as follows:

### STATE OF TENNESSEE—CHARTER OF INCORPORATION.

Form of charter.

*Be it known,* That [here insert the names of five or more citizens, not under the age of twenty-one years, applying for the charter] are hereby constituted a body politic and corporate, by the name and style of [here insert the name], for the purpose of constructing and operating an incline cable road or cog railroad from \_\_\_\_\_, in the county of \_\_\_\_\_, to \_\_\_\_\_, in the county of \_\_\_\_\_.

General powers.

The general powers of said corporation are:

1. To sue and be sued by its corporate name.
2. To have and own a common seal, which it may alter at pleasure; if no common seal, then the signing of the name of the corporation by any duly authorized officer shall be legal and binding.
3. To purchase and hold, or receive, by gift in addition to the personal property owned by said corporation, any real estate necessary for the transaction of the corporate business, and also purchase or accept any real estate in payment or part payment of any debt

due to the corporation, and sell the said realty for corporation purposes.

4. To establish by-laws, and make all rules and regulations, not inconsistent with the laws and constitution, deemed expedient for the management of corporate affairs.

5. To appoint such subordinate officers and agents in addition to the President and Treasurer, or Secretary, as the business of the corporation may require.

6. To designate the name of the office and fix the compensation of the officers.

The following provisions and restrictions are <sup>Provisions and</sup> restrictions. coupled with said grant of power.

1. A failure to elect officers at the proper time does not dissolve the corporation, but those in office hold until the election, or appointment, and qualification, of their successors.

2. The term of all officers may be fixed by the by-laws of the corporation; the same, however, not to exceed two years.

3. The corporation may by by-laws make regulations concerning the subscription for, or transfer of stock, fix upon the amount of capital to be invested in the enterprise; the division of the same into shares, the time required for payment thereof by the subscribers for stock, the amount to be called at any one time; and in case of failure of any stockholder to pay the amount thus subscribed by him at the time and in the amounts thus called, a right of action shall exist in the corporation to sue said defaulting stockholder for the same.

The Board of Directors, which may consist of five Directors, or more members, at the option of the corporation, to be elected either in person or by proxy, by a majority of the votes cast, each share representing one vote; shall keep a full and true record of all their proceedings, and an annual statement of receipts and disbursements shall be copied on the minutes, subject at all times to the inspection of any stockholder.

The books of the corporation shall show the original or subsequent stockholders, their respective interests; the amount which has been paid on the shares subscribed; the transfer of stock by, and to whom made; also other transactions in which it is presumed a stockholder or creditor may have an interest.

**Surplus stock.** The amount of surplus stock due from a subscriber to the corporation shall be a fund for the payment of any debts due from the corporation, nor shall the transfer of stock by any subscriber relieve him from payment, unless his transferee has paid up all or any of the balance due on said original subscription.

**Powers possessed.** By no implication or construction shall the corporation be deemed to possess any powers, except those hereby expressly given; or necessarily implied from the nature of the business for which the charter is granted, and by no inference, whatever, shall said corporation possess the power to discount notes or bills, deal in gold or silver coin, issue any evidence of debt as currency, buy and sell any agricultural products, deal in merchandise or engage in any business outside of the purpose of the charter.

**Right to repeal or modify charter.** The right is reserved to repeal, annul, or modify this charter.

If it is repealed, or if the amendments proposed being not merely auxiliary, but fundamental, are rejected by a vote representing more than half of the stock, the corporation shall continue to exist for the purpose of winding up its affairs, but not to enter upon any new business.

If the amendments or modifications being fundamental, are accepted by the corporation as aforesaid, in a general meeting to be called for that purpose, any minor, married woman, or any person under disability, or any stockholder not agreeing to the acceptance of the modification, shall cease to be a stockholder, and the corporation shall be liable to pay said withdrawing stockholders the par value of their stock, if it is worth so much; if not, then so much as may be its real value in the market on the day of withdrawal of said stockholders as aforesaid; *Provided*, That the claims of all creditors are to be paid in preference to said withdrawing stockholders.

**Quorum.** A majority of the Board of Directors shall constitute a quorum, and shall fill all vacancies until the next election.

**First Board of Directors.** The first Board of Directors shall consist of the five or more corporators who shall apply for and obtain the charter. The said corporation may have the right to borrow money and issue notes or bonds upon the faith of the corporate property, and also to execute a mortgage, or mortgages, as further security for repayment of money thus borrowed.

The said corporation shall have the rights, in pursuance of the general laws authorizing the condemnation of private property to works of internal improvement, as set forth in Sections 1325 to 1348 in the Code, both inclusive, to appropriate as an easement the right of way, not exceeding one hundred feet, over the land of any person through which the line of the track may be located. [Said sections of the Code to be here literally copied and inserted.]

Right to condemn private property.

The corporation is authorized to adopt such gauge as they may prefer.

The charge for transportation shall be not exceeding eight cents per hundred pounds on heavy articles, and three cents per cubic foot on articles of measurement, per mile, and at the same rate for each fraction of a mile, and not exceeding fifty cents per mile for each passenger, and at the same rate for each fraction of a mile, with power to make special contracts with shippers and passengers on their roads in regard to rate of freight, and so as not to exceed the amounts herein designated.

Charge for transportation.

The line or track of the road shall be so constructed as not to interfere with the convenient travel of the public along the highways, county roads, streets, and alleys of cities, towns, and villages, and so as to allow carts, wagons, carriages, and other vehicles conveniently and safely to pass over or under the line of track, and so as not to interrupt traveling on foot or horseback, or in vehicles of any kind from the necessary and proper use of the public road, street, or alley, in the usual and proper mode for their convenience. Boards, well supported by posts or otherwise, shall be placed and constantly kept across each public road when the same is crossed on the same level by the track of the railway, the boards to be elevated so as not to obstruct travel, and on each side of said board there shall be printed in large letters, easily to be seen by the traveler, the words "Railroad Crossing—Look Out for the Cars." Said boards need not be put up at the crossing of streets and alleys in cities, towns or villages, but such inclined cable railroad company shall be subject to such proper regulations made by the municipal authorities, in pursuance of general municipal powers, regulating speed, passage, and flagmen in such municipalities, and at crossings, and where there are sidings and switchings, the whistle shall always be blown at a distance of not less than two hundred and

Sign boards across public roads.

fifty yards from every crossing of a public road. Where land on both sides of the track is owned by the same proprietor, convenient crossings shall be made and kept up at the expense of the corporation for the use of said proprietor, and all necessary cow-gaps made.

**Regulations for  
running trains.**

The Board of Directors shall fix regulations for the running of trains, for the transportation of passengers and property, and shall furnish sufficient accommodation for their safe, comfortable, and convenient transportation, and shall take, transport, and discharge such passengers and property at, from, and to such places, on the due payment of freight, tolls, and fare legally authorized to be charged therefor, and in case of the refusal of said corporation, their officers, or agents, to take and transport any passenger or property, or to deliver the same, or either of them, at the regular and appointed time, such corporation shall pay to the party aggrieved all damages thereby suffered, with cost of suit. If any passenger refuse to pay his toll or fare the conductor may put him off the cars at any station or convenient point where such passenger can step on land.

The corporation shall make no contract giving any person a preference in the speedy shipment of freight.

**Election of  
officers.**

The said five or more corporators shall, within a convenient time after the registration of the charter in the office of the Secretary of State, elect from their number a President, and Secretary, and Treasurer, or the last two officers may be combined into one, and shall not necessarily be stockholders; said President and the other corporators to constitute the first Board of Directors.

**Capital stock.**

The Board of Directors may fix the amount of the capital stock of the company, and the number of shares into which the same may be divided, and under their direction subscription books may be opened to obtain stock, and all other persons having an equal right with said original incorporators to subscribe for stock, until the full amount of said capital stock is subscribed; when a sufficient amount of stock is subscribed, notice—personal, or by advertisement in a newspaper—where the principal office of the corporation is to be kept, is to be given of the time and place for the election of officers.

The result of all the elections to be determined by the majority of the votes cast, each share to represent one vote.

The Board of Directors may at any time increase <sup>May increase</sup> <sub>capital stock.</sub> the capital stock, if the necessities of the corporation, in their estimation, require said increase.

The company, by its officers and agents, may enter upon the lands of private persons for the purpose of making surveys, estimates, and location of route.

The stock is to be impressed with the character of personal security.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 22d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 21st, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 17.

AN ACT to change the time of holding the Chancery Courts of Lauderdale County by amending Section 5 of an act passed June 11th, 1885, entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions," etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 5 of an act passed June 11th, 1885, entitled "An Act to divide the State of Tennessee into judicial circuits and chancery divisions," etc., be amended so that the time of holding the Chancery Court of Lauderdale County, in the Tenth Chancery Division, be changed from the first Mondays in March and September, and be fixed for the first Mondays in June and December.

SEC. 2. *Be it further enacted*, That all process which is now, or hereafter may be, made returnable to any other time than that fixed by this Act shall be transferred to the time fixed by this Act, and shall have as full force and effect as though no change of time had been made; and that this Act take effect from and after its passage, the public welfare requiring it.

Passed February 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 18.

AN ACT to change the line between the counties of Rutherford and Wilson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Rutherford and Wilson be so changed that the lands of Wm. Byrn, J. E. Allen, W. S. Rhodes, and R. E. Jarman, be cut off the Seventeenth District of Wilson County and attached to the Sixteenth District of Rutherford County.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 19.

**AN ACT** to amend an act entitled "A Bill to establish Taxing Districts in this State, and to provide the means of local government for the same," being Chapter 11 of the Acts of 1879.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That Section 1 of the aforesaid Act, making the boundaries and territorial limits of said taxing districts the same as those of the municipal corporations whose charters were abolished, and of which said taxing districts were successors, be, and the same is hereby, amended in respect of the territorial limits of the taxing district of Shelby County, so that the boundaries of said taxing district be fixed and established as follows, viz.: Beginning at a point on the west line of the State of Tennessee, where the centre of Kerr Street produced would strike the Mississippi River; thence eastward on a line with the center of Kerr Street, if extended, to a point where such line would strike the town reserve; thence southward with the east line of the town reserve, to the middle of the old Raleigh road on Johnson's Avenue; thence eastward along the middle of the old Raleigh road, to a point where the center line of Dunlap Street, produced northward, would intersect the same; thence southward along the said produced line and the middle line of Dunlap Street to the middle of Union Avenue; thence westward along the middle of Union avenue to the middle of Walnut Street; thence southward along the middle of Walnut Street to the south side of the old Fort Pickering railroad or Broadway Street; thence westward with the south side of the old Fort Pickering railroad, or Broadway Street, to the middle of Bayou Gayoso; thence southwest up said bayou and along the middle of the same to the middle of Jackson Street; thence along the middle of Jackson Street, and the prolongation of said street to the west line of the State of Tennessee; thence northward with the west line of the State of Tennessee to the beginning.*

**SEC. 2. Be it further enacted, That this Act take effect on and after its passage, the public welfare requiring it.**

Passed February 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 20.

**AN ACT to amend an act entitled "An Act to incorporate the town of Johnson City, in the County of Washington, provide for an election of officers, prescribe their duties, and for other purposes," passed February 26th, 1885, and approved March 3d, 1885.**

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Section 10 of "An Act to incorporate the town of Johnson City, in the County of Washington, provide for an election of officers, prescribe their duties, and for other purposes," passed February 26th, 1885, and approved March 3d, 1885, be, and the same is hereby, amended to read as follows:**

Sec. 10. *Be it further enacted, That the corporate limits of said town of Johnson City shall be as follows: Beginning at the northwest corner of the Hart brick store building, near the East Tennessee, Virginia & Georgia Railroad, and now occupied by C. K. Lide as a hardware store, and running three-fourths of a mile in every direction, and forming a circle three-fourths of a mile from said point to all points on said circle.*

**Sec. 2. Be it further enacted, That Section 3 of said Act be amended as follows: After the word "elect-**

ing " in line seven and before the word " Aldermen," strike out the word " five " and insert the word " seven," so as to make seven the number of Aldermen to be elected instead of five.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 21.

AN ACT to establish the line between the counties of Carter and Sullivan.

SECTION 1. *Be it enacted by the General Assembly of* Commissioners: *the State of Tennessee*, That Wm. H. H. Gaines, of the county of Sullivan, J. O. Robertson, of the county of Washington, and Nat Hyder, of the county of Carter, practical surveyors, be, and are hereby, appointed commissioners, whose duty it shall be, after taking an oath before some Justice of the Peace, faithfully to perform the duties herein prescribed, to proceed to examine the proper records, take testimony and to use other necessary means to ascertain the true and original corner of Carter and Sullivan Counties near the residence of the Widow Humphrys, and then to survey and mark the line between said counties, according to the original organization from the said corner to the top of Holsten Mountain, as required by the Act of 1804; *Provided*, That if, from any cause, any of the above-named surveyors shall fail to

serve, it shall be the duty of the County Court of the county in which said failure occurs, to appoint a competent surveyor to take the place of the one thus failing.

*Report of  
Commissioners.*

SEC. 2. *Be it further enacted*, That said Commissioners, after performing their said duties, shall make a full report of the same to the County Court of both Carter and Sullivan Counties, and the said counties shall have the same entered on record, and the same shall be established as the boundary line between said counties, and be so held and respected both in law and equity.

*Compensation.* SEC. 3. *Be it further enacted*, That said Commissioners shall be paid a reasonable compensation for their services by the counties of Carter and Sullivan, the amount of said compensation to be ascertained by the County Courts of each of said counties.

SEC. 4. *Be it further enacted*, That all laws and parts of laws inconsistent with this Act be, and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed February 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 22.

**AN ACT** to amend an act passed October 25th, 1815, as supplementary to an act passed October 9th, 1815, entitled "An Act to incorporate the inhabitants of the town of Franklin, in the county of Williamson, so as to confer upon the municipal corporation of Franklin the power and authority to collect its taxes in the same way as now provided by law for the collection of State and county taxes, through its own officers," and to repeal so much of Section 3 of said act as is in conflict with this Act.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the municipal corporation of the town of Franklin, in Williamson County, be, and said corporation is hereby, empowered and authorized to collect its taxes in the same way and manner as is, or hereafter may be, provided by law for the collection of State and county taxes, this power to be exercised by said corporation and its officers as hereinafter provided.

*To collect taxes in same manner as State and County taxes are collected.*

**Sec. 2.** *Be it further enacted,* That the power to collect said taxes for said corporation shall be vested in the City Marshal of said town instead of the County Trustee, and said City Marshal shall proceed to collect said taxes as the County Trustee shall collect State and county taxes, until the first Tuesday in February of each year succeeding the year in which he shall receive the tax-book of said corporation, and he shall thereafter, as soon as practicable, make his report, showing what taxes have been collected and what remain unpaid, to the Recorder of said town, and shall deliver over to him said report, together with the tax-book, and therefore, it shall be the duty of the Recorder to issue, from time to time, as may be provided by law as to Trustees, distress warrants for any uncollected taxes, and shall deliver the same to the City Marshal, whose duty it shall be to proceed to collect the unpaid taxes, and to execute and make return of said distress warrants in the same way as, or may be, provided for as to Constables in the collection of State and county taxes, except that he shall make his returns thereof to the Recorder of said town instead of to the Trustee.

*City Marshal to collect instead of County Trustee.*

*To report to the Recorder.*

**Sec. 3.** *Be it further enacted,* That all penalties, interest, costs, and damages that attach to delinquent taxes.

*Delinquent taxes.*

and unpaid taxes due to the State and county under existing laws, shall in the same manner attach to delinquent and unpaid taxes which may be due said corporation of Franklin on and after the first Tuesday in February of each year, beginning with the first Tuesday in February in 1888, and including such taxes as may then remain unpaid for 1887, and due to said corporation.

Duties devolving upon City Marshal and Attorney-General.

SEC. 4. *Be it further enacted*, That all duties now imposed, or that may hereafter be imposed, by law on the Trustee and Attorney General in the collection of delinquent and unpaid taxes due the State and county for State and county taxes, be, and the same are hereby, imposed on the City Marshal of Franklin and the Attorney-General of the circuit embracing said corporation, to be exercised by them as provided in Section 2 of this Act, and as now provided, or as may be hereafter provided by law.

SEC. 5. *Be it further enacted*, That so much of Section 3 of the act passed October 25th, 1815, entitled "An Act to amend an act supplementary to an act passed October 9th, 1815, to incorporate the inhabitants of the town of Franklin," as may be in conflict with this Act, be, and the same is hereby, repealed.

Passed February 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 23.

AN ACT to amend an act entitled "An Act to amend an act to establish Taxing Districts in this State and to provide the means of local government for the same," being Chapter 54 of the Acts of 1879.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Section 3 of the act aforesaid be, and the same is hereby, amended so as to add to said section, at its foot, the following, viz.:* "And provided further, That whenever in any current year assessments are or shall be made by the Assessor, for State and county purposes, of property which was subject to taxation but was not assessed for the preceding year, such assessment for the then current year shall be the assessment for the taxing district for that year, and all taxes levied, thereon for the taxing district shall be due and payable so soon as the assessment is complete, and the County Trustee or Tax Collector, for said taxing district shall immediately upon the completion of said assessments place the same and extend the amounts due thereon on his books and shall collect the same, as far as practicable, as and when other municipal taxes are collected, all laws and parts of laws for the collection of taxing district taxes being hereby declared in force in respect to the taxes due upon such omitted property.

Sec. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed February 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 24.

**AN ACT** to amend sub-section 35 of Section 17, Chapter 114, of the Acts of 1883, entitled "An Act to provide for the creation and organization, and defining the powers, of municipal corporations, embracing territories of cities having a population of 36,000 and upwards, according to the Federal census of 1880, whose charters have been abolished."

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That sub-section 35 of Section 17 of Chapter 114 of the Acts of 1883, be so amended as to insert after the words "new streets" occurring in said sub-section, the word "sewers."

**SEC. 2.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 25.

**AN ACT** to change the time for holding the Chancery Court of Davidson County, within the Sixth Chancery Division.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the times for holding the Chancery Court for Davidson County, within the Sixth Chancery Division, as prescribed in Section 5 of an Act of June 12th, 1885, be changed to the first Mondays in April and October of each year.

**SEC. 2.** *Be it further enacted*, That Section 5 of said Act of June 12th, 1885, in so far as in conflict here-with be repealed.

**SEC. 3.** *Be it further enacted*, That all process, which is now or may hereafter be made returnable to any other time than that fixed by this Act, shall be returnable to the time herein named for holding said court, and the same shall be as valid and binding in law as if made returnable to the times named in this Act.

**SEC. 4.** *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 26.

AN ACT to define and extend the boundaries of the town of Milan, in the county of Gibson.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee*, That the boundaries of the corporation of the town of Milan, in the county of Gibson, shall be as follows: Beginning at a stake in the <sup>Boundaries.</sup> center of the main track of the Louisville and Nashville railroad eight hundred and eighty yards northeast from the center of the crossing of said railroad track and Main Street, running thence at right angles with said railroad track, northwestward eight hundred and eighty yards to a stake: thence southwestward eight hundred and eighty yards, parallel with said railroad, to a stake on the west side of the road between W.

J. House and Mrs. Mollie E. Tucker, on the east boundary line of said Mrs. Tucker; thence south along said Mrs. Tucker's east line to J. A. McAlister's line; thence along the line between said McAlister and Tucker to the line between said McAlister and J. M. Towns, and along the line between said Towns and McAlister southward to the Milan and Trenton road, and across said road to H. P. Miller's northeast corner; thence southward along said Miller's east line, and beyond to the center of the Louisville and Nashville railroad track, thence northeastward along the center of said track to a stake in the center of said track, nine hundred and twenty yards southwest of the center of the crossing of said railroad and Main Street; thence southwestward eight hundred and eighty yards to a stake; thence northeastward, parallel with said railroad, one thousand nine hundred yards to a stake; thence northwestward in a direct line to the beginning.

Property and  
polls liable for  
1887.

SEC. 2. *Be it further enacted*, That the property and polls within the territory embraced in the boundaries in Section 1 of this Act, shall be liable for corporation taxes for the year 1887.

SEC. 3. *Be it further enacted*, That all acts and parts of acts in conflict with this Act be, and the same are hereby, repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed February 28d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 27.

**AN ACT** to amend sub-section 2 of Section 1 of an act passed March 5th, 1885, approved March 10th, 1885, entitled "An Act to amend an act styled 'An Act to amend an act to incorporate the town of Pulaski, in the county of Giles,' passed February 2d, 1850, and to provide for a system of public schools for said town," being Chapter 37 of the Acts of 1885.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That sub-section two (2) of Section one (1) of an act passed March 5th, 1885, and approved March 10th, 1885, entitled "An Act to amend an act styled 'An Act to amend an act to incorporate the town of Pulaski, in the county of Giles,' passed February 2d, 1850, and to provide for a system of public schools for said town," be, and the same is hereby, amended by adding to said Section two (2), at its close, the words: "And the laws provided for the collection of State and county taxes under and by means of *distraint* warrants, or otherwise, shall apply to the collection of the taxes provided for in the act herein amended, when necessary; the distraint warrants to be issued by the School Tax Collector provided for in said Chapter 37 of Acts of 1885."

**Sec. 2.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives,*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 28.

**AN ACT** to amend sub-section 7 of Section 17 of Chapter 114 of the Acts of 1883, entitled "An Act to provide for the creation and organization, and defining the powers, of municipal corporations embracing territories of cities having a population of thirty-six thousand and upwards, according to the Federal census of 1880, whose charters have been abolished."

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That sub-section 7 of Section 17 of Chapter 114, be so amended as to read after the word "nuisances" as follows: "And in order to accomplish these objects, the said Mayor and City Council may declare, by ordinance, what constitutes nuisances, and provide for the abatement of same, and may make all repairs and improvements necessary for the health and convenience of the inhabitants, and all expense or outlay made by the Mayor and City Council shall be reimbursed by the owner or owners, and shall be secured by lien on the property upon which the expenditure is made, which lien may be enforced by suit in the Chancery Court."

**SEC. 2.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 29.

**AN ACT** of the General Assembly of the State of Tennessee to amend the charter of the town of Fulton, Obion County, Tennessee.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the town of Fulton, Obion County, Tennessee, be, and the same is, amended by adding after the provision for the election of a Town Constable by said corporation, the following: “And said Town Constable shall be, and he is hereby, invested with all the powers, and charged with all the duties of a Constable under the laws of this State, and said Town Constable shall have the power to, and is hereby charged with all the liabilities and duties of Constables in this State; *Provided*, That before said Constable shall enter upon the duties of a general Constable he shall execute the official bond, and qualify as required of other Constables in this State.

**SEC. 2.** *Be it further enacted,* That this Act take effect and be in force from and after its passage, the public welfare requiring it.

Passed February 28d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 30.

AN ACT to change the line between the counties of Hawkins and Hamblen.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county line between the counties of Hawkins and Hamblen be, and the same is hereby, changed so as to include in the county of Hamblen all the lands of James H. Beal and John William Moore, and to deduct the same from the county of Hawkins.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 31.

AN ACT to punish false pretences in obtaining certificates of registration of cattle and other animals, and to punish giving false pedigrees.

*False pretence.* SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That every person who by any false pretence shall willfully obtain for any club, association, or society, or company, for improving the breed of cattle, horses, sheep, or other domes-

tic animals, a certificate of registration of any animal in the herd register, or other register of any such club, association, society, or company, or a transfer of any such registration ; and any person who shall knowingly give a false pedigree of any animal, or who shall sell any animal, falsely representing the same to be a registered animal, or entitled to registration in any such club, association, society, or company, shall, upon <sup>Penalty.</sup> conviction thereof, be punished by imprisonment in the Penitentiary for a term not exceeding three years nor less than one year, or in the county jail for a term not exceeding one year, or by a fine not exceeding one thousand dollars, or by both, such fine and imprisonment at the discretion of the court and jury trying the same.

**Sec. 2. Be it further enacted,** That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 32.

**AN ACT** to repeal the charter of the town of Dandridge, in Jefferson County, Tennessee.

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee,** That the charter of the town of Dandridge, in Jefferson County, Tennessee, be, and the same is hereby, abolished.

SEC. 2. *Be it further enacted*, That the repeal of said charter of said town shall not operate to release any person from the payment of any taxes due to said municipality at the time of the passage of this Act.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after the first day of April, 1887, the public welfare requiring it.

Passed February 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 33.

AN ACT to prevent the adulteration of candy, and the sale of adulterated candy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That whoever manufactures for sale, or knowingly sells, or knowingly offers for sale, any candy adulterated by the admixture of terra alba, barytes, talc, or other mineral substance, or poisonous colors, or flavors, or other ingredients deleterious or detrimental to health, shall be deemed guilty of a misdemeanor; and upon conviction thereof, shall be fined not exceeding five hundred dollars, and the candy so adulterated shall be confiscated and destroyed under the direction of the Court before whom the offender is tried.

**SEC. 2. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.**

Passed February 24th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 34.

**AN ACT to amend Section 2132 of Milliken & Vertrees' Code of Tennessee, so as to strike out the word "ten" and insert the words "twenty-five" in place thereof, and for the relief of soldiers who lost both legs or both arms, or the use of both legs or both arms, while engaged in actual service in the late Confederate Army or in the Union Army, who have not been pensioned by the Federal Government.**

**SECTION 1. Be it enacted by the General Assembly of Code amended. the State of Tennessee, That Section 2132 of Milliken & Vertrees' Code of Tennessee be amended by striking out the word "ten" in the first line of said section and inserting the words "twenty-five" in place of said "ten."**

**SEC. 2. Be it further enacted, That a pension of Pension granted. twenty-five dollars per month be, and is hereby, granted to each soldier from the State of Tennessee in the army of the late Confederate States who lost both legs or both arms, or who lost the use of both legs or both arms, while engaged in the actual service; also Federal soldiers from Tennessee in like condition, who are not pensioners under the United States Government.**

**SEC. 3. Be it further enacted, That the Comptroller Comptroller to keep a roll of those entitled. be instructed to keep a roll of all persons who shall**

claim the benefit of the first section of this Act: and when he shall have the certificate of the Chairman or Judge and Clerk of the County Court of the county in which each applicant lives, that the applicant comes within the provisions of this Act, the Comptroller shall issue his warrant monthly upon the Treasurer for twenty-five dollars, which warrant shall be paid by the Treasurer.

SEC. 4. *Be it further enacted*, That this provision herein provided for shall commence with the first day of January, 1887, and shall end upon the death of the pensioner.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 24th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 35.

AN ACT to change the line between the counties of Anderson and Campbell.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Anderson and Campbell be so changed as to include the lands of Calaway Byrge and Loranzo Kennedy in Anderson County.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 24th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives:*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 36.

AN ACT to amend paragraphs 3 and 4 of Section 23 of Chapter 142 of the Acts of the General Assembly of 1875, entitled "An Act to provide for the organization of corporations."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That paragraph 4 of Section 23 of Chapter 142 of the Acts of the General Assembly of 1875, providing for the incorporation of immigration, real estate, and labor associations, be changed and amended, so as to read as follows: "The encouragement of immigration, the locating, establishing, and building of towns and cities, the purchase, improvement, development, and sale of property, and the establishment and encouragement of industries, are the objects for which the charter is granted.

SEC. 2. *Be it further enacted*, That every corporation heretofore organized under said Act may do for itself all things which said Act now authorizes it to do as agent. The right to amend or abolish charters granted under the provisions of this Act is hereby reserved to the Legislature of this State.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 24th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 1st, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 37.

AN ACT to authorize municipal corporations having a population of not less than thirty-eight hundred and fifty, nor more than four thousand inhabitants, according to the Federal census of 1880, to collect their own taxes on merchants and privileges.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all municipal corporations and incorporated towns in this State, having a population of not less than thirty-eight hundred and fifty, nor more than four thousand inhabitants, according to the Federal census of 1880, shall have the authority and power to collect, through their City Recorder, under such regulations as they may determine by ordinance, all taxes on merchants and privileges, including liquor dealers, wholesale and retail, which by law they may be empowered to assess or impose, or which by law may be assessed or imposed for their benefit.

SEC. 2. *Be it further enacted*, That so much of subsection 2, Section 694, of Thompson & Steger's Code, as authorizes the collection of municipal tippling license by the Clerk of the County Court, be, and the same is hereby, repealed so far as the same applies to municipal corporations of the population aforesaid,

and said license tax shall hereafter be collected by the Recorder of said cities or towns.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 24th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 38.

AN ACT to authorize the Mayor and Aldermen of the city of Murfreesboro, Tennessee, to issue bonds to an extent not exceeding seven thousand dollars, for the purpose of providing protection against fire, and to collect a special tax to provide for the payment of the principal and interest of said bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and Aldermen of the city of Murfreesboro, Tennessee, be, and they are hereby, authorized and empowered to issue coupon bonds for the purpose of providing fire protection for said municipality to an amount not exceeding seven thousand dollars (\$7,000) in the manner and under the restriction hereinafter provided.

SEC. 2. *Be it further enacted*, That all bonds issued under this Act shall be of such denomination, bear such rate of interest, not exceeding six per cent. per annum, and be due in such time, not less than five nor more than ten years from date, and shall be issued to such an amount, not exceeding seven thousand dollars, as the corporate authorities may determine; *Provided, however*, That all bonds shall bear the same date and interest, and be payable at the same

Authority to issue bonds.

Denomination.  
rate of inter-  
est, etc.

time, and shall be redeemable at the pleasure of the municipal corporation after five (5) years from their date.

Bonds not to be sold for less than par.

**SEC. 3.** *Be it further enacted*, That the bonds provided for by this Act shall in no case be sold for less than par and the coupons attached shall, at their maturity, be receivable for all taxes and dues to the corporation, except the "sinking fund tax" provided by said corporation, or which may be provided, in funding its indebtedness under the provisions of an act of the General Assembly passed March 26th, 1881, and except the "sinking fund tax" provided for by the following section.

Sinking fund.

**SEC. 4.** *Be it further enacted*, That before any bonds shall be issued hereunder, the corporation shall provide by ordinance for a sinking fund wherewith to retire the bonds by levying a special tax, to be designated the "sinking fund tax for fire protection;" the same to run with the bonds and to be collected annually and used exclusively for the purpose levied, and to be sufficient with its accumulations, as nearly as may be estimated, to meet the principal indebtedness at its maturity.

Commissioners.

**SEC. 5.** *Be it further enacted*, That said Mayor and Aldermen, before issuing any bonds under this Act, shall appoint or elect by ballot three citizens, not members of the Board of Mayor and Aldermen, who shall be known as the Fire Protection Sinking Fund Commissioners, who shall hold their office for three years, and until their successors shall be elected and qualified, and to be so elected that the term of office of one of said commissioners shall expire in each year; *Provided*, That at the first election one commissioner shall be elected for one year, one for two years, one for three years, and every year thereafter one shall be elected to serve for three years.

Manner of electing, term of office.

Oath and bond.

**SEC. 6.** *Be it further enacted*, That said commissioners shall take an oath before some person authorized to administer oaths in judicial proceedings faithfully to discharge their duties, and shall give bond in such sum and otherwise qualify themselves and receive such compensation as the said Mayor and Aldermen may, by ordinance, provide.

**SEC. 7.** *Be it further enacted*, That said commissioners shall receive the sinking fund tax herein provided from the collector of taxes and may invest the same from time to time and make settlements of their ac-

counts in such manner and with such persons as the corporation may, by ordinance, direct.

Sec. 8. *Be it further enacted*, That bonds for fire protection may be issued under this Act for the purpose of providing water-works, or purchasing and laying water-mains and pipes; or for the purpose of purchasing or renting fire-engines, hose, hose-carts, and such other articles as are used with, or are necessary to the use of fire-engines; or for the purpose of purchasing or renting all such articles as are usually used by hook and ladder companies; or for the purpose of providing other measures for the extinguishment of fires in said city; *Provided*, Said bonds may be issued for any one or more of said purposes; and, *Provided further*, That whether issued for one or more of said purposes, said bonds shall not be issued for an amount exceeding in the aggregate, said sum of seven thousand dollars.

Sec. 9. *Be it further enacted*, That an act entitled "An Act to regulate and organize municipal corporations of certain population and for the increase and diminution of their powers," passed March 20th, 1875, and approved March 23d, 1875, and the amendment thereof, entitled "An Act to amend an act entitled 'An Act to regulate and organize municipal corporations of certain population, and for the increase and diminution of their powers,' passed March 20th, 1875, and approved March 23d, 1875," which amendment was passed March 23d, 1877, and approved March 26th, 1877, and especially Section 20 of said first mentioned act, being Section 1619 of Milliken & Vertrees' Code of Tennessee, in so far as they are in conflict with this Act, be, and the same are hereby, repealed.

Sec. 10 *Be it further enacted*, That upon the issuance of said bonds they shall be a valid and binding debt upon said municipal corporation, and said Mayor and Aldermen are hereby authorized and empowered to levy and collect, annually, beginning with the year 1887, while said bonds or any of them are outstanding, a special tax, not exceeding the rate of one mill on the dollar on the assessed value of all taxable property, taxable by law for corporation purposes, for the purpose of providing the "sinking fund" prescribed by this Act, and for the purpose of paying the interest on the bonds issued under this Act as it becomes due; and that Section 21, Chapter 92, Acts of 1875, Section 1620 of Milliken & Vertrees' Code, <sup>Authorized to levy taxes for sinking fund.</sup> <sup>Act amended.</sup>

be, and the same is hereby, amended, so as to allow said Mayor and Aldermen of the city of Murfreesboro to levy and collect the special tax herein, provided in addition to the tax authorized by said act; and that said special tax may be levied and collected in addition to all other taxes now authorized by law to be levied by said corporation.

SEC. 11. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 25th, 1887..

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 39.

AN ACT to enable any railroad company incorporated under the general laws of this State to change either of its termini, at any time before the final location of its line of railroad.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That any railroad company incorporated under the general laws of this State may, by resolution of its Board of Directors, change either terminus of its line of railroad at any time before the final location of the same.

SEC. 2. *Be it further enacted*, That said resolution shall be certified by the President and Secretary of the company under its corporate seal, and filed and registered in the office of the Secretary of State, and when the Secretary of State certifies to the registration of the same, under the great seal of the State, the amendment shall be complete, and take effect as

if originally incorporated in the charter of the company.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed February 25th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 40.

### AN ACT for the relief of W. C. Keeley.

WHEREAS, W. C. Keeley, acting as agent and attorney for the State in the matter of collecting delinquent revenue and back taxes in Gibson County, Tennessee, by an employment by the Comptroller in 1883, has collected and paid into the Treasury of the State large amounts of revenue, said revenue being collected with great difficulty and expense, and as the result of hard labor and watchful care; and whereas, the compensation heretofore allowed said Keeley as such agent and attorney would not equal his actual expenses, actually incurred in making said collections; and whereas, the State has been largely benefited by said services; and whereas, a large portion of said collections were such as were not contemplated by the act, and consequently no compensation provided therefor; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the Treasury be, and he is hereby, authorized and instructed to draw his payable warrant upon the Treas-

urer in favor of W. C. Keeley in the sum of six hundred dollars.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage.

Passed February 25th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 41.

AN ACT to amend and revise Chapter 2 of the Acts of the special session of 1885, entitled "A Bill to be entitled an act to amend an act entitled 'An Act to empower municipal corporations and taxing districts to compromise and fund their indebtedness, issue bonds for the amount so funded, and to provide means for the payment of the same as compromised,' being Chapter 170 of the Acts of 1883," and also to amend an act passed February 16th, 1885, approved February 20th, 1885, entitled "An Act to amend an act entitled, 'An Act to empower municipal corporations and taxing districts to compromise and fund their indebtedness, issue bonds for the amount so funded, and to provide means for the payment of the same as compromised,' the same being Chapter 170 of the Acts of 1883, and to extend the provisions of said act to the first day of July, 1885, and to further provide for the compromise, settlement, and funding of the indebtedness of municipal corporations and taxing districts, and issuing bonds therefor, and to provide means for the payment of the same as compromised."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act recited in the caption, with the amendments and modifications herein-after enacted, be, and the same are hereby, revised and re-enacted, and so much of said act as limited the power to make compromises and issue bonds to the first day of December, 1885, is repealed.

SEC. 2. *Be it further enacted*, That the funding and auditing board provided by said act shall hereafter consist of the Board of Fire and Police Commissioners of said taxing districts, said board to have all the powers conferred by said act on the Funding and Auditing Board therein referred to. The President, Attorney, and Secretary of said board to remain as declared in the act aforesaid. But in lieu of the compensation to said President, Attorney, and Secretary provided in said act, it is here enacted that said President, Attorney, and Secretary shall each receive as compensation the sum of one-fourth of one per cent. of the amount of compromise bonds that may be issued by said board.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 42.

AN ACT to change the line between the counties of Williamson and Maury.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Williamson and Maury be so changed as to include all the lands of George W. Nellums in Maury County.

SEC. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed February 26th 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 43.

AN ACT to further define the duties of Treasurers for Hospitals for the Insane in Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the Treasurers of Insane Hospitals in Tennessee to deposit all moneys coming into their hands in some one of the banks designated as State depositories, for safe-keeping, until drawn out from time to time for the benefit of said hospitals.*

SEC. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed February 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 44.

**AN ACT** to amend Section 5490 of Milliken & Vertrees' Code of Tennessee.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That Section 5490 of Milliken & Vertrees' Code of Tennessee be so amended as to read as follows, to-wit: "If the person so disposing of the property shall pay the debt to secure which the mortgage was executed, together with all the costs of the criminal prosecution before he is arraigned for trial, he shall be discharged and not subject to further prosecution for the crime charged."*

**SEC. 2.** *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed February 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 2d, 1887. .

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 45.

**AN ACT** to change the line between the counties of Claiborne and Union.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the line between the counties of Claiborne and Union be so changed as to in-*

clude all of the farm and lands of Benjamin Pike where he now lives in Claiborne County.

SEC. 2. *Be it further enacted*, That this Act take effect from and after the first day of July, 1887, the public welfare requiring it.

Passed February 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING.  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 46.

AN ACT to change line between the counties of Campbell and Scott.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Campbell and Scott be so changed as to include the lands of Bart Neal, W. C. Adkins, and Peter Adkins in the county of Scott.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 47.

AN ACT to change the line between the counties of Knox and Union.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the county line between the counties of Knox and Union be so changed as to include all of the farm of Calvin Kitts, on which he now lives, in the county of Union, viz.: Beginning on a poplar stump in the Knox County line; thence running southwest with said line to a creek; thence north with said Calvin Kitts' line to the said Knox County line.*

SEC. 2. *Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed, and that this Act take effect from and after its passage, the public welfare requiring it.*

Passed February 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 48.

AN ACT to change the county lines between the counties of Williamson, Maury, and Marshall.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the county lines between the counties mentioned in the caption of this bill be*

so changed as to include the portions of the farms of J. S. Flemming, W. P. Flemming, and S. C. Smithson lying in Maury and Marshall Counties, within the limits of Williamson County.

Passed February 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 49.

AN ACT to change the county line between the counties of Grainger and Union.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the county line between the counties of Grainger and Union be, and the same is hereby, so changed as to include all lands of J. T. Inklebarger within the county of Grainger.*

Sec. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed February 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 50.

**AN ACT** to change the line between the counties of Dickson and Montgomery.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the line between the counties of Dickson and Montgomery be so changed as to include the house and land of G. W. Daniel in the county of Dickson, and detach the same from the county Montgomery.*

Passed February 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 51.

**AN ACT** to amend an act entitled "An Act to change and make straight the line between Blount and Sevier Counties."

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That an act entitled "An Act to change and make straight the line between Blount and Sevier Counties, passed March 14th, 1879, be so amended that the entire farm lately owned by Andrew Cresswell, deceased, now belonging to W. G. Cresswell and M. G. Cresswell, be included in Blount County.*

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 26th, 1887.

W. L. CLAPP.

*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 52.

### AN ACT to change the line between the counties of Clay and Pickett.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Clay and Pickett be so changed as to detach the lands of P. H. Wilburn, contained in his body of land bordering on the line from the county of Pickett, and attach the same to the county of Clay.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 26th, 1887.

W. L. CLAPP,

*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 53.

AN ACT to change the line between Smith and DeKalb Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the line between the counties of Smith and DeKalb be so changed as to include the lands of John Rollin, in District 19 of Smith County, in the First District of DeKalb County.*

SEC. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed February 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 54.

AN ACT to change the time for holding the Circuit Courts in the Ninth Judicial Circuit.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the Circuit Courts in the Ninth Judicial Circuit shall hereafter be held at the following times and places:*

At Columbia, for Maury County, on the first Mondays in January, May, and September.

At Newburg, for Lewis County, on the first Tuesdays after the first Mondays in February, June, and October.

At Centreville, for Hickman County, on the second Mondays in February, June, and October.

At Savannah, for Hardin County, on the first Mondays in March, July, and November.

At Waynesboro, for Wayne County, on the third Mondays in March, July, and November.

At Lawrenceburg, for Lawrence County, on the fourth Mondays in March, July, and November.

At Pulaski, for Giles County, on the first Mondays in April, August, and December.

Sec. 2. *Be it further enacted*, That all laws in conflict with this Act be, and the same are hereby, repealed, and that this Act take effect from and after the first day of May, 1887.

Passed February 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 55.

AN ACT to authorize the county of Union to issue bonds for the purpose of building a macadamized road in or through said county.

Authorized to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the county of Union, through its Quarterly County Court, be, and the same is hereby, authorized and empowered to issue coupon bonds of said county for the purpose of building a macadamized road in or through said county, not to exceed the sum of fifteen thousand dollars, bearing interest at the rate of not more than six per cent. per annum, said interest to be payable annually, the first install-*

ment to be payable at the end of one year after said bonds are issued, the bonds herein provided for to be payable ten years after the date thereof, but may be redeemed at any time after three years by order of the said Quarterly County Court.

SEC. 2. *Be it further enacted*, That said bonds shall be signed by the Chairman of the County Court, and countersigned by the County Court Clerk, with his official seal affixed to the same, and may be in the denominations of twenty-five, fifty, one hundred, two hundred, and five hundred dollars, and each denomination shall be numbered in the order of their issuance, beginning with "one."

SEC. 3. *Be it further enacted*, That each of said bonds shall have attached to it ten coupons, showing the amount of each annual installment of interest on said bonds, and when the same shall fall due, which coupons shall be signed in the same manner as the bonds, but without the official seal of the Clerk, and showing on their face the number and denomination of the bond to which they are attached. The coupons herein provided for shall become due annually, and when due shall be receivable in payment of any county taxes except the sinking fund tax hereinafter provided for; and when so received or paid off by the Trustee or Tax Collector shall be by him canceled by stamping or writing on the face thereof the date received or paid, and held by him as his voucher for the payment on his settlement with the Chairman of the County Court, who will preserve said coupons as a part of the records of his office.

SEC. 4. *Be it further enacted*, That it shall be the duty of the Quarterly Court of said county annually to levy a tax on the taxable property and privileges of said county for the purpose of paying the annual interest on said bonds, and also for the purpose of creating a sinking fund for the redemption of the bonds herein authorized, when they fall due, or are called in or redeemed, as hereinafter provided; and to enable the County Court to know what amount of tax to levy for these purposes, the Chairman of the County Court shall keep in a well bound book a record of the number and denomination of all bonds issued, and also of all bonds and coupons redeemed or paid.

SEC. 5. *Be it further enacted*, That the Trustee and Tax Collector shall collect and account for the taxes

To be collected as other taxes.

herein authorized the same as he is required by law to collect and account for other taxes, and shall receive the same compensation as for collecting other county tax, and the County Court may, when it thinks proper, require such Trustee or Tax Collector to give an additional bond for the performance of his duties in collecting and accounting for said taxes.

May be re-  
deemed in  
three years.

SEC. 6. *Be it further enacted*, That before the expiration of the three years from the issuance of said bonds, the Trustee or Tax Collector may redeem any of said bonds presented for redemption out of any money that may be in his hands derived from said sinking fund tax; and after the expiration of said three years it shall be the duty of the Trustee to call for such an amount of said bonds as the sinking fund in his hands will redeem, calling for them by number commencing with the lowest number, and redeeming them in the order in which they were issued, of such as are outstanding, and for this purpose he shall have access to the Chairman's books in which said bonds are numbered.

Interest to  
cease if not  
presented in  
thirty days  
after call.

SEC. 7. *Be it further enacted*, That the call, as provided in Section 6 of this Act, shall be made on the order of the Chairman of the County Court, by public advertisement, posted at the Court-house door of said county for thirty days, setting out the number and denomination of said bonds so called for, and such bonds not being presented for payment at the expiration of said thirty days, the interest thereon shall cease from that date, and the coupons not due thereon shall not thereafter be received for taxes, nor shall said coupons draw interest; and should the bonds so called for be withheld then shall the Trustee in like manner call for other bonds in regular order, until the amount required be presented for redemption; and when any such bonds are redeemed as herein set out, the Trustee or Tax Collector shall, upon settlement with the Chairman of the County Court, have credit therefor on account of sinking fund tax, and after they shall have been entered upon the Chairman's books as aforesaid, said bonds shall be defaced by stamping or writing across the face of the same, the date when they were accounted for on settlement, and the same filed away with the coupons thereon, and heretofore redeemed, as parts of the records of said Chairman's office.

To be defaced  
when redeemed

**SEC. 8.** *Be it further enacted*, That none of the bonds Not to be sold  
herein provided for shall be sold for less than their <sup>for less than</sup> par.

**SEC. 9.** *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 2d, 1887.

ROBT. L. TAYLOR.  
*Governor.*

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## CHAPTER 56.

**AN ACT** to appropriate one thousand two hundred dollars to repair and refurbish the Supreme Court-room at Jackson.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee*, That the sum of twelve hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the treasury, not otherwise appropriated, for the purpose of repairing and refurbishing the Supreme Court-room at Jackson.

**SEC. 2.** *Be it further enacted*, That said sum of money shall be expended under the direction and approval of the Chief Justice of the Court and the Clerk thereof, and upon the proper filing of the vouchers for said expenses with the Comptroller, and when approved by said Chief Justice, the Comptroller will draw his warrant on the Treasurer for said twelve hundred dollars, or so much thereof as may be necessary to make said repairs.

SEC. 3. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed February 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 57.

AN ACT to amend Chapter 16 of the Acts of 1873, entitled "An Act to grant to the city of Memphis the Memphis Hospital Grounds."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the act aforesaid be, and the same is hereby, so amended as to authorize and empower the Fire and Police Commissioners of the taxing district of Shelby County to sell and convey the tract of land granted by said act to the city of Memphis for hospital purposes. Said tract may be sold as one parcel or may be sub-divided into lots and blocks and sold according to sub-divisions. And said sale or sales may be made privately or at public auction as the judgment of the commissioners may dictate. The deed of said commissioners shall vest the purchaser or purchasers with a complete and absolute title, with the same effect as if the title had been granted directly to the purchaser by the State.*

SEC. 2. *Be it further enacted, That the proceeds of said sale shall, as soon as practicable be reinvested by said commissioners in purchasing, improving, and building upon another tract of land for hospital purposes. Said tract of land to be within two miles of the corporate limits of said district, and to be held*

subject to the uses, conditions, and purposes declared in the act mentioned in the caption hereof.

Sec. 3. *Be it further enacted*, That all the powers of said taxing district, including the police powers, shall extend to and over said tract to be purchased and used as aforesaid for hospital purposes as if the same was within the corporate limits of said district.

Passed February 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 58.

AN ACT to authorize the Mayor and Aldermen of the town of Johnson City, in the county of Washington, State of Tennessee, to issue interest-bearing coupon bonds to an amount not exceeding seventy-five thousand dollars (\$75,000), and to levy and collect taxes, and to provide for the redemption of said bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and Aldermen of the town of Johnson City, in the county of Washington, State of Tennessee, be, and they are hereby, fully empowered to issue the interest-bearing negotiable coupon bonds of said city or town in an amount not exceeding seventy-five thousand dollars (\$75,000); *Provided*, That in no case shall any such bonds, nor other evidences of debt, be issued by the authorities of said city or town, until authorized by a three-fourths vote of the qualified voters voting of such city or town, expressed by an election to be held for that purpose, ten days' notice of which shall be given by the Mayor, which notice shall set forth Election to be held.

Board of  
Trustees.

fully the time, place and object of such election; *Provided further*, That said bonds shall not bear a higher rate of interest than six per cent. per annum; *Provided further*, That the City Council or Board of Mayor and Aldermen of such city or town shall appoint by ballot a Board of Trustees of the sinking fund and fix their compensation, to consist of three persons not members of the City Council or Board of Mayor and Aldermen who shall hold their office for three years, or until their successors shall be elected and qualified, and to be so elected that the term of office of only one shall expire in each year; *Provided*, That at the first election one Trustee shall be elected for one year, one for two years, and one for three years, and every year thereafter one shall be elected to serve for three years, such appointments and compensation shall require the concurrence of two-thirds of the members of the City Council, and no Trustee so appointed shall be removed from office except by the concurrence of two-thirds of the Council. The

Bond.

members of the Board of Trustees of the sinking fund shall each give bond and security in the sum of twenty-five thousand dollars (\$25,000), conditioned upon the faithful performance of their duties as such Trustees. The Board of Trustees of the sinking fund, on or before the 31st day of December of each year, shall prepare and file with the City Recorder or Clerk, a detailed statement of the amount of bonds which may have been issued by the city or town, or which may be a charge upon the same, with the amount of the principal and interest which may have become due, or which may become due, during the succeeding year, and also of the amount which may be necessary to provide a sinking fund for the final redemption of all bonds that may have been issued by said city or town, or which may be a charge upon the same, and such amount of principal and interest which shall be already due, and which shall become due, during each succeeding year, and which shall be necessary to provide a sinking fund, shall become a prior lien upon the taxes levied during such year upon the taxable property of the city or town, and all such taxes collected shall be paid over to the Board of Trustees of the sinking fund, until the amount as set forth in the report of said Trustees shall have been paid over. If the City Council shall not, on or before the first day of December, of each year, pay over to the Trustees

Manner of  
election.

That at the first election one Trustee shall be elected for one year, one for two years, and one for three years, and every year thereafter one shall be elected to serve for three years, such appointments and compensation shall require the concurrence of two-thirds of the members of the City Council, and no Trustee so appointed shall be removed from office except by the concurrence of two-thirds of the Council. The

Statement.

members of the Board of Trustees of the sinking fund shall each give bond and security in the sum of twenty-five thousand dollars (\$25,000), conditioned upon the faithful performance of their duties as such Trustees. The Board of Trustees of the sinking fund, on or before the 31st day of December of each year, shall prepare and file with the City Recorder or Clerk, a detailed statement of the amount of bonds which may have been issued by the city or town, or which may be a charge upon the same, with the amount of the principal and interest which may have become due, or which may become due, during the succeeding year, and also of the amount which may be necessary to provide a sinking fund for the final redemption of all bonds that may have been issued by said city or town, or which may be a charge upon the same, and such amount of principal and interest which shall be already due, and which shall become due, during each succeeding year, and which shall be necessary to provide a sinking fund, shall become a prior lien upon the taxes levied during such year upon the taxable property of the city or town, and all such taxes collected shall be paid over to the Board of Trustees of the sinking fund, until the amount as set forth in the report of said Trustees shall have been paid over. If the City Council shall not, on or before the first day of December, of each year, pay over to the Trustees

of the sinking fund the amount as set forth in the report of said Trustees, then it shall be the duty of <sup>Trustees to file a bill, when.</sup> said Trustees of the sinking fund to file a bill or other proceedings in the Chancery Court, or such other court, as may at the time have jurisdiction, and obtain from said court a peremptory mandamus compelling the immediate assessment and collection of a tax in cash sufficient to meet the principal and interest due on said bonds, and the amount that may be necessary for said sinking fund, as set forth in the report of said Trustees.

The Board of Trustees of the sinking fund shall <sup>Trustees to have charge of funds.</sup> have charge of all funds that may have been set apart from the tax collections as provided in this section, and shall apply the same for the payment of principal and interest of said bonds which may be due or which shall become due, and for the establishment of a sinking fund for the final redemption of said bonds. They shall also have power to invest moneys that are <sup>Power to invest moneys.</sup> not necessary for the principal and interest of said bonds by loaning the same, taking as security therefor deeds of trust, with power of compulsory sale for cash, upon unencumbered real estate in the county in which said city or town is located, to an amount not greater than one-half the value of such real estate, and at a rate of interest not less than six per cent. per annum. They shall also have power to purchase any outstanding bonds of the city or town; *Provided,* <sup>Not to pay more than par.</sup> That they shall pay no more than the par value of such bonds, and the principal and all interest accruing or arising from such investment shall, as fast as the same is received, be added to and become a part of the sinking fund, and shall be held exclusively as a fund for the payment of the interest and principal of said bonds, and shall be applied to no other purpose until said bonds shall be fully paid. The Board of Trustees of the sinking fund shall countersign <sup>Trustees to countersign bonds.</sup> all bonds that may be issued, and shall keep a full record of all bonds so issued, together with a full record of all their proceedings, stating the amount of money invested, the security taken for the same, the rate of interest obtained, and the amount of bonds that may have been purchased, or which may have been taken up at their maturity, and shall cancel and keep and file all bonds or coupons of bonds that may have been purchased by them, or paid at maturity, such records to be open at all times to the inspection

Failure to comply, penalty.

of the public. They shall also prepare and present with their annual report to the City Council a full exhibit of the condition of the sinking fund. Any member of the City Council, Trustee, or officer of the corporation whose duty it shall be to make reports as provided for in this section, or to make provisions for the payment of the principal and interest of such bonds, or to provide for a sinking fund as aforesaid, and who shall fail or refuse to make such report, or to provide for such payment, or who shall knowingly divert or appropriate any moneys so set apart, or any part of the proceeds thereof, to any purpose other than that for which said moneys are appropriated, shall, in addition to such penalties as are provided for by law, be liable to a penalty not exceeding one thousand dollars, nor less than two hundred dollars, to be sued for and recovered by the holders of any of the aforesaid bonds or obligations that may be due.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 59.

AN ACT to amend an act entitled "A Bill to establish taxing districts in this State and to provide the means of local government for the same," being Chapter 11 of the Acts of 1879, so as to extend the police powers and to authorize the enlargement of the police force of said taxing districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the act aforesaid be, and the same is hereby, so amended as to authorize and empower the Fire and Police Commissioners, any two assenting, to employ thirty (30) policemen in addition to the number authorized by said act, and the amendment thereof. Said additional policemen shall be appointed, and shall be subject to removal, as prescribed by said act, and shall be in every particular and respect subject to the provisions thereof; *Provided, however,* That the additional policemen to be appointed under this Act must be paid out of the fund provided for the police department, under the budget, and out of the fund hereinafter referred to.

SEC. 2. *Be it further enacted,* That the Board of Fire and Police Commissioners may, at their option, assign one or more of the members of the police force to the special duty of guarding or watching private property; *Provided,* That the compensation of such specially assigned policemen shall be paid into the treasury of said taxing district by the person, persons, or corporation at whose instance the assignment shall be made; and the policeman or policemen so assigned to special duty shall be paid out of the fund so paid into the district treasury.

SEC. 3. *Be it further enacted,* That the police power of said taxing districts shall extend to a distance of one mile from the corporate limits thereof, and all ordinances of said districts of a general character, passed for the preservation of the public peace, health, and safety, and all Sunday ordinances of said districts, shall have full force and effect for such distance of one mile beyond the corporate limits, and all breaches of such ordinances, within said distance, may be punished by arrest, fine, and imprisonment, as if committed within the corporate limits.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 60.

AN ACT to amend the charter of the town of Covington, and to amend Chapter 57 of the Acts of 1869 and 1870, passed February 17th, 1870.

**Act amended.** SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 3 of an act passed February 17th, 1870, entitled "An Act to amend the charter of the town of Covington, and for other purposes," be amended so as to read as follows: "That there shall be elected by the qualified voters of said town a Mayor and six Aldermen, who shall hold their offices for two years, and until their successors are elected and qualified; *Provided*, No person shall be eligible to said offices of Mayor or Alderman unless he is a *bona fide* resident of said corporation."

**Who is eligible.** **Town Constable.** SEC. 2. *Be it further enacted*, That the said Board of Mayor and Aldermen, when so elected and qualified, shall elect one Town Constable, and as many assistants or policemen as they may deem necessary, and may require of them such bond as they may fix, for the faithful discharge of their duties, and the said

Board of Mayor and Aldermen may at any time, for reasons to them sufficient, discharge said Constable and policemen, and elect others in their room and stead, and they shall fix the compensation due said officers.

SEC. 3. *Be it further enacted*, That the said Board <sup>Recorder.</sup> of Mayor and Aldermen shall elect a Recorder, who shall be the Secretary of said board and the tax-collector of said town. Before entering upon the duties of his office said Recorder shall execute a bond with security, to be approved by said board, and in such sum as they may fix, but not to be less than double the amount of the taxes to be annually collected by him, payable to the Board of Mayor and Aldermen of Covington and their successors in office and conditioned for the faithful discharge of the duties of his office and the proper collection and disbursements of all moneys which he ought as such Recorder to collect and disburse. Said bond shall be entered upon the minutes of said board and filed in the office of the Clerk of the County Court of said county.

SEC. 4. *Be it further enacted*, That it shall be the <sup>Duty of Re-</sup> <sub>order.</sub> duty of said Recorder to act as Secretary of said Board of Mayor and Aldermen to make out a complete list of all the taxable property and polls in said corporation limits each year, and for such purpose he shall, when necessary assess any and all the property and polls in said corporation limits. He shall file the original tax-books with the Mayor of said town and retain a duplicate or copy thereof. He shall proceed before the first day of January following the year for which the taxes are assessed, to collect all the taxes for said year, and shall have power on and after the first day of November of each year for which the taxes are assessed to issue distress warrants to the <sup>Distress war-</sup> <sub>rants.</sub> Town Constable for all unpaid taxes, which distress warrants, when so issued, shall have all the force and effect as distress warrants issued for State and county taxes, and shall be executed in like manner by the said Town Constable, whose official bond shall be liable for any failure to collect and pay over said taxes as the law directs, and said Constable shall have such fees and commissions for his services as are allowed by the State for like services.

**Mayor to settle with Recorder.** SEC. 5. *Be it further enacted*, That the Mayor of said town shall settle with said Recorder on the first day of each month, and take up and cancel all vouchers and corporation warrants paid by him, and shall direct that the funds of said corporation be properly applied, and on the first day of February of each year the said Mayor shall make final settlement with said Recorder, charging him with all moneys, taxes, fines, and forfeitures that have, or should have, come into his hands, and crediting him with all vouchers and warrants paid by him, all credits allowed by the Board of Mayor and Aldermen, and such compensation for his services as the said board may fix. On the expiration of his term of office said Recorder shall pay over to his successor in office all moneys in his hands belonging to said corporation, and all the books and papers in his office, and for failure so to do, he and his sureties shall be liable on his bond by suit brought in the name of the said Board of Mayor and Aldermen.

**Corporation taxes a lien on property.**

SEC. 6. *Be it further enacted*, That all taxes assessed and levied upon any property in said town for corporation purposes shall be a lien on said property, and in the event a distress warrant issued against real estate shall not be paid, but returned no property to be found, etc., then said Board of Mayor and Aldermen may proceed to collect said taxes by bills filed in Chancery Court in the name of the Board of Mayor and Aldermen against the owner or claimant of said land, and have the same sold for the payment of said taxes and all costs, including a fee of ten dollars (\$10) for the attorney on each separate lot or parcel of land. One bill may include any number of lots of land and defendants owning different lots.

**Election.**

SEC. 7. *Be it further enacted*, That the Town Constable shall open and hold an election for Mayor and Aldermen on the first Saturday of March, 1887, and on the first Saturday of March every two years thereafter.

**Laws repealed.**

SEC. 8. *Be it further enacted*, That so much of Chapter 57, Acts of 1869-70, passed March 11th, 1870, as is in conflict with this Act, and so much of the Statutes of this State as are in conflict with the provisions of this Act be, and the same are hereby, repealed.

SEC. 9. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1st, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 1st, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 61.

AN ACT to amend an act passed March 23d, 1885, entitled "An Act to amend an act entitled 'An Act authorizing municipal corporations to fund their indebtedness upon certain conditions,' passed March 26th, 1881."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act passed March 23d, 1885, entitled "An Act to amend an act entitled 'An Act authorizing municipal corporations to fund their indebtedness upon certain conditions,' passed March 26th, 1881," be amended so as to read as follows: "That from and after the passage of this Act it shall be lawful for any municipal corporation in this State to fund, by the issuance of coupon bonds, in the manner and under the restrictions hereinafter provided, all, or any portion, of its floating or bonded indebtedness existing on the first day of January, 1887."

Sec. 2. *Be it further enacted*, That all bonds issued under this Act shall be of such denominations, bear such rate of interest, not exceeding six per cent. per annum, and be due in such time, not less than five nor more than thirty years from date, and be payable at Denomination of bonds, interest, etc.

such times and places as the corporate authorities may determine; *Provided, however, That all bonds shall bear the same interest.*

Not to be sold  
for less than  
par.

Sinking fund.

Sinking Fund  
Commissioners.

Oath.

SEC. 3. *Be it further enacted, That the bonds provided for by this Act shall in no case be sold for less than par, and the coupons attached shall, at maturity, be receivable for all taxes and dues to the corporation, except the "sinking fund tax" provided for by the following section, and the "school tax."*

SEC. 4. *Be it further enacted, That before any bonds shall be issued hereunder, the corporation shall provide by ordinance for a sinking fund wherewith to retire the bonds by levying a special tax on property, same to be designated the "sinking fund tax," the tax to run with the bonds, and to be collected annually and used exclusively for the purpose levied and to be sufficient with its accumulations, as near as may be estimated, to meet or retire the principal indebtedness by its maturity.*

SEC. 5. *Be it further enacted, That every corporation before issuing any bonds under this act shall appoint or select by ballot three persons—citizens—who shall be known as "Sinking Fund Commissioners," who shall hold office for three years, and until their successors shall be elected and qualified, and to be so elected that the term of office of one of said commissioners shall expire in each year; *Provided, That at the first election one commissioner shall be elected for one year, one for two years, and one for three years, and every year thereafter one shall be elected to serve for three years.**

SEC. 6. *Be it further enacted, That said commissioners shall take an oath before any person authorized to administer oaths in judicial proceedings, faithfully to discharge their duties, and shall give bond in such sum, and otherwise qualify themselves, and receive such compensation as the ordinance of the corporation may prescribe and provide.*

SEC. 7. *Be it further enacted, That said commissioners shall receive from collector of taxes, all sinking fund taxes, and shall invest the same from time to time in the bonds of the corporation, and make settlement of their accounts in such manner and with such persons as the corporation may by ordinance direct; *Provided, however, That whenever such bond of the city is purchased or invested in by said commissioners they shall cancel the same in the presence**

of the Mayor and Aldermen or City Council in such manner as may be determined by ordinance.

SEC. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1st, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 62.

AN ACT to provide for the compensation of judges, clerks, and officers holding elections in this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That judges, clerks, and officers holding general election in the several counties of this State, shall each be entitled to, and receive for said service, one dollar (\$1) per day, for one day only.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Sheriff of each county, when the returns of an election from the several civil districts and wards of his county are deposited with him to make out a complete list of the judges, clerks, and officers holding such election, and deliver ~~such~~ list to the Judge or Chairman of the County Court, who shall issue his warrant in favor of each of said judges, clerks, and officers, for the sum of one dollar (\$1), to be paid by the Trustee of the county out of any money in his hands, collected for county purposes.

SEC. 3. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 1st, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 63.

AN ACT to amend an act entitled "An Act to provide for the creation and organization, and defining the powers, of municipal corporations embracing territories of cities having a population of thirty-six thousand and upwards, according to the Federal census of 1880, whose charters have been abolished," passed by the General Assembly of the State of Tennessee March 21st, 1883, and approved by the Governor March 27th, 1883, so as to better enable said municipal corporations to protect the public interests in free bridges and their approaches located within the corporate limits.

~~Act amended.~~ SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Section 17 of an act of the General Assembly of the State of Tennessee, entitled "An Act to provide for the creation and organization, and defining the powers, of municipal corporations embracing territories of cities having a population of thirty-six thousand and upwards, according to the Federal census of 1880, whose charters have been abolished," passed March 21st, 1883, and approved by the Governor March 27th, 1883, be, and is hereby, amended as follows: "That the Mayor and*

City Council of such municipal corporation shall not grant to any street railroad company now incorporated, or that may hereafter be incorporated, nor to any company or individual, any exclusive privilege or right of way over any free bridge and its approaches, built and maintained at the public expense within the corporate limits of said city or town, nor permit or allow any corporation, company, or individual, to lay, hold, own, or control any railway track or tracks thereon, but such city or town shall put down, keep and maintain at its own expense, such track or tracks as may be necessary upon said bridge and approaches for the convenience and accommodation of the public, and shall grant equal facilities and privileges to all corporations, companies, or individuals desiring to run cars thereon. Said tracks to be the exclusive property of said municipal corporation."

**SEC. 2. Be it further enacted,** That in order to prevent the monopoly in the use of any free bridge and its approaches within said municipal corporation, and to secure to the public the free use of such free bridge or bridges and their approaches, to all citizens, companies, and corporations alike, power and authority is hereby vested in the Mayor and City Council of said municipality to take, condemn, and appropriate the track or tracks and appurtenances of any street railway corporation, company, or individual located upon said free bridge, and also to take, condemn, and appropriate such railway tracks on the approaches to said bridge and streets leading thereto, as may be necessary to procure a feasible and practicable route for other railways to and upon said bridge. The said condemnation of said tracks and appurtenances to be had in accordance with and under the provisions of Section 1338 and Sections 1388, 1389, 1390, and 1391 of the Code of Tennessee, and said sections being in Milliken & Vertrees' Code, No. 1562 and Nos. 1661 to 1664 inclusive. And upon the condemnation of said tracks and appurtenances, the title and ownership in same to vest in the Mayor and City Council of said city or town, and to be by it held, kept, and maintained for the common use of all street railways having to cross the same as provided in Section one (1) of this Act.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 2d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 64.

AN ACT to amend an act entitled "A Bill to establish taxing districts in this State, and to provide the means of local government for the same," being Chapter 11 of the Acts of 1879, and to authorize said taxing districts to purchase and build and own and operate an electric light plant for the purpose of lighting the highways and public grounds of such districts.

Authorized to  
build electric  
light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That taxing districts organized under the acts aforesaid be, and they are hereby, authorized to purchase or build, and to maintain and operate an electric light plant, including the necessary grounds therefor, engines, boilers, lamps, and lamp-fixtures, poles, wire, and other appurtenances usual to such a plant, for the purpose of lighting the streets, alleys, squares, and other public grounds and places within said districts.

To be paid for  
out of tax for  
public lighting.

SEC. 2. *Be it further enacted*, That said plant, whether built or bought by said district shall be paid for exclusively out of the tax levied, or to be levied for public lighting. That no general liability against said taxing district shall be created in the construction or purchase of said plant, but the fund aforesaid, or any proportion thereof that may be contracted against, shall be solely liable to pay the cost of build-

ing or purchasing said plant; *Provided, however,* That the Board of Fire and Police Commissioners for the purpose of paying for said plant may use any balance remaining to the credit of, and not necessary for either of the departments of the taxing district.

Sec. 3. *Be it further enacted,* That for the purpose of maintaining and operating said electric light plant said district may employ and pay such electricians, engineers, linemen, and other agents and employes, as may, in the judgment of the legislative council, be necessary. The compensation of whom shall be fixed by the Fire and Police Commissioners, and paid exclusively out of the tax levied, or to be levied, for public lighting.

Sec. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 2d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 65.

AN ACT to amend Section 13 of Chapter 142, Acts of 1875, which provides for the incorporation of street railroad companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That part of Section 13 of Chapter 142, Acts of 1875, be amended so as to read: "The company may operate said street railroad by animal power, cable car power, electricity, or may

use a stationary steam engine; *Provided*, The consent of the city authorities be first obtained."

Passed March 2d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 21st, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 66.

AN ACT for the relief of the Blount fraction of Loudon County.

**Preamble.**

WHEREAS, At the time of the formation of Loudon County there was a bonded indebtedness on Blount County for which that portion of Loudon County which was taken from Blount was legally liable, and is still liable; therefore,

County Court  
to order an  
election.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That upon the petition of fifty citizens and freeholders of said fraction of Loudon County presented to any quarterly session of the County Court for Loudon County, said court shall order an election to be opened and held in the several voting precincts in Loudon County, to determine whether the entire county shall assume said debt of the Blount fraction. Said election shall be held by the Sheriff of Loudon County not more than three months after such order shall be made by the County Court, and shall be held under the same restrictions and requirements as required by law governing the election of county officers. Voters desiring that said indebtedness shall be assumed by the entire county shall have plainly written or printed on their tickets the word "Assume," and those opposed to the assumption of the debt shall have plainly written or

**Style of ticket.**

printed on their tickets the word "Reject," and returns of such election shall be made in the same manner as required by law in the election of county officers.

SEC. 2. *Be it further enacted*, That if it shall appear <sup>Returns.</sup> from the returns of the election as required by the first section of this Act, that three-fourths of the votes cast at said election shall have been cast for assuming said debt by the county, the Clerk of the County Court of Loudon County shall give notice to the Chairman of the County Court of Blount County, and at the next succeeding Chairman's Court the Chairman of the County Courts of Blount and Loudon Counties shall each appoint a committee of three discreet persons to pass upon and determine what the amount of said indebtedness for the Blount fraction of Loudon County is, and for what said fraction was liable at the time of the formation of said county, together with any arrears of said indebtedness that may have since accrued. <sup>Committee.</sup>

SEC. 3. *Be it further enacted*, That said committees <sup>Committee to report amount due.</sup> shall determine the amount due from Loudon County on the principal of said debt according to the valuation of the assessments as made in the assessments for taxes the last assessment preceding the formation of Loudon County, and when so determined they shall report the result and the amount due on the principal, and also the accrued interest, to the next sessions of the Quarterly Courts of the two counties.

SEC. 4. *Be it further enacted*, That the County Court <sup>Bonds.</sup> of Loudon County shall thereupon issue coupon bonds, bearing interest at the rate of six per cent. per annum, the coupons maturing semi-annually, on the first days of January and July, and such bonds shall be issued in such denominations and payable at such place as the court may deem best, the bonds maturing on the first day of January, 1897, and bonds sufficient shall be issued to raise a sum sufficient to pay the liability of Loudon County on account of the principal of said debt.

SEC. 5. *Be it further enacted*, That for any accrued <sup>Accrued Interest.</sup> interest remaining unpaid, the County Court of Loudon shall levy a sufficient special tax to liquidate and pay the same.

SEC. 6. *Be it further enacted*, That the County Court <sup>Special tax.</sup> of Loudon County, in the event of the issuance of said bonds, shall levy a special annual tax sufficient to meet the interest on said bonds as the same shall

mature, and the interest coupons shall be receivable in payment of all taxes and dues to the county.

Sec. 7. *Be it further enacted*, That if the County Court of Blount County, in quarterly session, shall elect so to do, the bonds issued by Loudon County, as herein provided, may be held or received by the Trustee of Blount County, and the amount received on such bonds and coupons shall be applied to the payment of the bonds and coupons of Blount County.

Sec. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 67.

AN ACT to amend Sections 2159 and 2160 of the Code (Milliken & Vertrees).

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 2159 of the Code (Milliken & Vertrees) be amended by striking out the words "winter or," in the third line, so as to apply to all seasons of the year.

Sec. 2. *Be it further enacted*, That Section 2160 of the Code (Milliken & Vertrees) be so amended as to strike out the words "winter or," in third line, so as to include all seasons of the year.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 21st, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 68.

**AN ACT** to amend an act incorporating the town of Humboldt, in Gibson County, Tennessee, and to change the corporation lines of said town.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the corporation lines of the town of Humboldt, in Gibson County, Tennessee, heretofore established for said town, be, and the same are hereby, so changed as to run as follows: Beginning at the southwest corner of the residence lot of the late John G. Vaughan, in Vaughan's addition to the town of Humboldt; thence in an easterly direction to McKnight Street, and to a stake on the north side of said street; thence down the north side or line of said street, crossing Cannon Street, and thence on east to a stake on the line of the lots of Rawlins, Williams, and McKnight; thence north to Main Street at its intersection with Dixon Street; thence north across said Main Street to the west side of Dixon Street, and thence north on the west side or line of said street to the northeast corner of a lot of William Henry, opposite his residence; thence west to the southwest corner of Elliott's farm; thence north to the original north boundary line of said

town; thence west with said line across the track of the Mobile & Ohio Railroad to a stake fifty feet from the center of its road-bed and in the west line of the right of way of said road; thence in a southerly direction with said line of the right of way to the southwest corner of Charles Rue's farm; thence west with his line to a stake on his line opposite the northwest corner of the colored A. M. E. Church lot; thence south to the southwest corner of the colored Baptist Church lot; thence in a southeasterly direction to the beginning.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 18th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 69.

AN ACT to repeal so much of the act entitled "An Act to charter the Cleveland and Ducktown Railroad, and to amend the charter of the Lookout Turnpike Company," passed the 26th of February, 1858, as charters said Cleveland and Ducktown Railroad, and to repeal all acts amendatory of said charters.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of the act entitled "An Act to charter the Cleveland and Ducktown Railroad, and to amend the charter of the Lookout Turnpike Company," passed the 26th of February, 1858, as charters said Cleveland and Ducktown Railroad, and all acts amendatory of the charter of said railroad, be, and the same are hereby, repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 70.

**AN ACT** to amend Section 7 of the charter of the city of Knoxville, Tennessee, in reference to the compensation of Aldermen.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee*, That Section 7 of the charter of the city of Knoxville, Tennessee, be, and is hereby, amended, by striking out the word "no" in the fourth line after the word "receive," and by striking out the phrase "directly or indirectly" after the word "Aldermen" in the fifth line, and by inserting the words "not more than one hundred and fifty dollars per annum;" the last sentence as amended shall read: "Aldermen shall receive compensation for their services as Aldermen not more than one hundred and fifty dollars per annum."

**SEC. 2.** *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 10th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 71.

AN ACT to protect game birds in the counties of Johnson, Carter, Sullivan, Washington, Unicoi, and Greene, and to prevent the exportation of such birds from said counties.

Misdemeanor  
to kill game  
birds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor for any person to hunt, capture, kill, shoot, wound, or destroy any of the following game birds, to-wit: Partridge, quail, woodcock, pheasant, or wild turkey, in the counties of Johnson, Carter, Sullivan, Washington, Unicoi, Greene, Marion, Hamilton, Henry, and Haywood, from the first day of April to the first day of October, inclusive, of each and every year.

Misdemeanor  
to export game  
birds.

SEC. 2. *Be it further enacted,* That it shall be a misdemeanor for any person to export from said counties of Johnson, Carter, Sullivan, Washington, Unicoi, and Greene, beyond the limits of the State, any of the game birds mentioned in the first section of this Act, at any season of the year.

Penalty for  
violation.

SEC. 3. *Be it further enacted,* That any person violating any of the provisions of the first section of this Act, shall be liable to presentment or indictment, and shall, on conviction, pay a fine of not less than five nor more than twenty-five dollars for each offense, and on failure to pay the same, shall be imprisoned in the jail of the county where the offense is committed, not less than ten nor more than twenty days; and that all persons violating the provisions of the second section of this Act, shall be liable to indictment or presentment, and on conviction, shall pay a fine of not less than twenty-five nor more than fifty dollars, and on failure to pay said fine and the costs of prosecution, shall be imprisoned in the county jail of the county where the offense was committed not less than ten days; *Provided,* The penalties of this bill shall not apply to persons killing game on their premises.

Grand juries to  
have inquisi-  
tional power.

SEC. 4. *Be it further enacted,* That the grand juries of said counties of Johnson, Carter, Sullivan, Washington, Unicoi, and Greene, have inquisitorial power of the offenses mentioned in the first and second sections of this Act, and no prosecutor be required in prosecution for the said offenses, and that

this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 72.

AN ACT to be entitled "An Act to amend an act to incorporate the town of Middleburg, and for other purposes," and to extend the corporate limits of Clarksville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate limits of the city of Clarksville, in the county of Montgomery, be extended so as to include the passenger depot and depot grounds of the Louisville & Nashville Railroad Company on the east side of said town, said territory to be added to said town, being described in the deed of John Bradley to said railroad company thus: Adjoining the east line or boundary of the town of Clarksville, beginning at a point on that street which forms the east boundary line of Clarksville 10 feet north of the centre of the main track of said railroad; thence with the centre of said street north  $2^{\circ} 15'$  east 121 feet to a stake; thence north  $47^{\circ} 38'$  east 366 feet to Sandy Faulkner's line; thence with said Faulkner's line east  $68\frac{1}{2}$  feet to said Faulkner's southeast corner; thence with the line between my (Bradley's) land and said Faulkner's north 60 feet to a stake; thence north  $41^{\circ} 44'$  east  $277\frac{1}{2}$  feet to my (Bradley's) corner; thence with my (Bradley's) line  $74^{\circ}$  east 118 feet to a point 10 feet north of the centre of the main

track of said railroad; thence with a line 10 feet from the centre of the main track at the point where the land of said company lies 983 feet to the point of beginning—the line remaining its full length 10 feet from and parallel to the centre of said road's main track containing two acres.

SEC. 2. *Be it further enacted*, That the act entitled "An Act to incorporate the town of Middleburg, and for other purposes," March 19th, 1860, in so far as it conflicts with this Act, be repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 21st, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 73.

AN ACT to repeal the charter of the town of Medon, Madison County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act passed 21st day of March, 1860, incorporating the town of Medon, Madison County, be, and is hereby, repealed.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 74.

**AN ACT** to amend an act to incorporate a company to be called the Lebanon and Nashville Turnpike Company, passed February 12th, 1836.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee*, That Section 15 of an act passed February 12th, 1836, entitled "An Act to incorporate a company to be called the Lebanon and Nashville Turnpike Company," be so amended as to authorize the stockholders in said company to meet annually on the fourth Monday in May of each year, at such point in the county of Wilson or Davidson as may be agreed upon at the first meeting that shall be held after the passage of this amended Act.

**Sec. 2.** *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 75.

### AN ACT to establish the line between Montgomery and Cheatham Counties.

WHEREAS, A controversy has arisen between the counties of Montgomery and Cheatham as to the proper boundary line between said counties north of the Cumberland River; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That said line shall begin at the mouth of Barton's Creek, on Cumberland River, and run north forty-six degrees east about seven and one-half miles to the corner in the Robertson County line, designated in the act creating the county of Cheatham as the J. N. Moody corner (except as hereinafter provided), leaving the lands and residences of D. Burton, J. T. Burton, H. M. McCormac, Nat. Sanders, the old Pearson's place, Z. T. Jennet, E. L. Williams, N. S. Stack, and J. E. Cage (residence place), in Montgomery County, and the lands and residences of D. S. Mayor, W. K. Hollis, E. M. Guppton, J. H. Balthrop, W. C. Hunter, L. J. Hunter, W. W. Fry, and J. F. Stack in Cheatham County.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 76.

**A BILL** to be entitled "An Act to repeal and annul the charter of the town of Livingston, in the county of Overton, and to abolish the corporation."

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the charter, with all of its amendments, of the town of Livingston, in the county of Overton, be and the same is hereby, repealed and annulled, and the corporation abolished.*

**Sec. 2.** *Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.*

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 77.

**AN ACT** to abolish the charter of Flynn's Lick, Jackson County, Tennessee.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That Chapter 262 of the Acts of 1855-56, so far as relates to the incorporation of the town of Flynn's Lick, Jackson County, Tennessee, be, and the same is hereby, repealed.*

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 78.

AN ACT to amend an act entitled "An Act to incorporate the Franklin and Carter's Creek Turnpike Company, passed January 15th, 1850.

WHEREAS, The charter of the Franklin and Carter's Creek Turnpike Company fails to conform to the general law regulating the formation of turnpike companies in this State, passed January 17th, 1850, by requiring said company to grade their road within five degrees of the level, which character of grading is impracticable in the hilly and broken country through which said road passes; and

WHEREAS, Said road has been built and operated for many years under a misapprehension as to the requirement of the charter in this regard; and

WHEREAS, The same was accepted by the commissioners appointed under the then existing laws, and there has been no willful violations of the law on the part of said company; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 6 of the act of the Legislature, passed January 17th, 1850, entitled "An Act to incorporate the Franklin and Carter's Creek Turnpike Company, and for other purposes," be

~~amended by striking out the words "five degrees of a level," where they occur in said section.~~

**SEC. 2.** *Be it further enacted*, That no penalty shall accrue or be enforced against said road on account of the failure to comply with the charter in the manner set out in the first section of this Act, but said road is hereby authorized to continue its business as it has heretofore done; *Provided*, It has complied, and continues to comply, with the charter in all respects and particulars; *And provided further*, That said company shall not hereafter charge or collect toll from persons going to or from mills conveying grain to be ground for home use, or returning with the proceeds of grain so ground for home use; *And provided further*, That said company shall not hereafter charge or collect toll from persons going to or from elections, or to or from religious services; *And provided further*, That after the expiration of ten years from the passage of this Act, the provisions in the charter requiring said road to be graded to within five degrees of the level, shall be received and continued in full force and effect.

**SEC. 3.** *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 79.

AN ACT to permit parties defendant in criminal causes to testify in their own behalf.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That in the trial of all indictments, presentments, and other criminal proceedings, in any of the courts of this State, the party defendant thereto may, at his own request, but not otherwise, be a competent witness to testify therein.*

Sec. 2. *Be it further enacted, That the failure of the parties defendant to make such request and to testify in his own behalf, shall not create any presumption against him. But the defendant desiring to testify shall do so before any other testimony for the defense is heard by the court trying the case.*

Sec. 3. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 4th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 14th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 80.

AN ACT to amend the charter of the town of Shelbyville.

Rate of taxation.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the Board of Mayor and Aldermen of the town of Shelbyville shall have no*

power to levy a tax on the property subject to taxation in said town exceeding one per cent., or one dollar on the one hundred dollars' worth of property. Said property to be assessed and the value determined by the State and county assessment, and made in accordance therewith.

SEC. 2. *Be it further enacted*, That the office of <sup>Office of Town</sup> Constable <sup>Constable</sup> in said town be, and the same is abolished.

hereby, abolished, and the duty of collecting the property tax in said town shall hereafter devolve on the Recorder, and for said services the Recorder shall be allowed the same commission, and no more, which he is now allowed for collecting the privilege tax.

SEC. 3. *Be it further enacted*, That it shall be a misdemeanor in office, indictable in the Circuit Court, to be punished and fined, not exceeding fifty dollars and removal from office, for an Alderman of said town to accept, or vote to pay himself or any of his associate Aldermen any fee or compensation, in addition to the regular fee or compensation, unallowed by the charter, and no pretended or actual service as chairman of a committee shall be an excuse or defense for the violation of this statute.

SEC. 4. *Be further enacted*, That all laws heretofore passed in conflict with this be, and the same are hereby, repealed.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 4th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 81.

**A BILL** to be entitled "An Act to abolish the ward lines in the corporation of Shelbyville, and to elect the Mayor, Aldermen, and Recorder by the qualified voters of said corporation.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the ward lines in the corporation of the town of Shelbyville be, and the same are hereby, abolished.

**SEC. 2.** *Be it further enacted,* That the Mayor, Aldermen, and Recorder be elected by the qualified voters of the town of Shelbyville on the last Saturday in October, 1887, and forever thereafter on the last Saturday in October every two years.

**SEC. 3.** *Be it further enacted,* That all laws heretofore passed in conflict with this Act be, and are hereby, repealed.

**SEC. 4.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 4th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 21st, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 82.

**AN ACT** for the relief of tax-payers, and to amend an act entitled "An Act to allow partial redemptions of real estate sold for taxes, and for the relief of tax-payers," approved March 26th, 1879.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the act entitled "An Act to allow partial redemptions of real estate sold for taxes, and for the relief of tax-payers," approved 26th of March, 1879, be, and the same is hereby, amended and changed so as to strike out from the first and second sections of said act the word "heretofore," and the Quarterly Courts and Comptroller are hereby authorized to grant relief, reduce assessments, remit interest and penalties upon all lots, tracts of land, or parts thereof, without regard to the time when assessed or sold and bid in by the Treasurer, it being the intent and purpose of this Act to make the provisions of said Act of 1879, applicable to all lots, tracts of land, assessments, interest, penalties, and costs which now exist, or may hereafter exist, in like manner as said act applied to lots, tracts of lands and parts thereof, assessments, interest, costs, and penalties existing at the time of the passage of said act of 1879.

**Sec. 2.** *Be it further enacted,* That this Act take effect on and after its passage, the public welfare requiring it.

Passed March 4th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 10th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

11—Acts.

## CHAPTER 83.

**AN ACT to amend Section 5 of Chapter 20 of Acts of the General Assembly at extra session of 1885, so as to change the time of holding Chancery Courts in Dyer County, in Tenth Chancery Division.**

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That Section 5 of Chapter 20 of the Acts of the extra session of the General Assembly of 1885, fixing the time of holding the Chancery Courts for Dyer County, be so amended as to read as follows: The Chancery Courts of Dyer County shall be held on the third Monday in June and the second Monday in December, and that all process issued at or after the last term of said court, and made returnable to the next term of said court, be made returnable to the first term of said court to be held hereafter, and the same shall be valid and binding in law.*

**SEC. 2.** *Be it further enacted, That this Act shall take effect from and after its passage, the public welfare requiring it.*

Passed March 4th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor*

## CHAPTER 84.

**AN ACT** to repeal such sections, parts and provisions of an act passed March 24th, 1885, Chapter 71, as apply to Marshall County, entitled "An Act to amend Section 316 Thompson & Steger's Code, providing for the election of County Judges for the counties of Davidson, Shelby, Knox, Montgomery, and Williamson, and to amend the Acts of 1875, Chapter 70.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That such sections, so much of, and such parts and provisions of the act passed March 24th, 1885, Chapter 71, as apply to Marshall County, abolishing the office of Chairman of Marshall County Court, and creating, authorizing, and establishing the office of County Judge in said county, be, and the same is, and are, hereby repealed. Sections of act repealed.

**SEC. 2.** *Be it further enacted,* That from and after the first Monday in April, 1887, the office of Chairman of Marshall County Court, and is, and shall be, hereby restored and re-established in said county, with all the rights, privileges, jurisdictions, duties, and powers, possessed by, invested in, and belonging to the office of Chairmen and Judges of the County Courts of the various counties of this State, and that from and after the said first Monday in April, 1887, the office of County Judge of Marshall County be, and is, and it shall be, hereby abolished. Office of Chairman of County Court restored.

**SEC. 3.** *Be it further enacted,* That the present Judge of the County Court of Marshall County shall continue to hold the County Court of said county until the first Monday in April, 1887, during which time it shall be his duty to give at least ten days' notice to all, each, and every Justice of the Peace in his county, to assemble at the Court-house in his county on said first Monday in April, 1887, for the purpose of, and in order to elect a Chairman for the County Court of Marshall County; and in the election of said Chairman all the Justices of the county shall be entitled to attend and draw pay, but shall not draw pay for more than one day, and a majority of all the Justices of the county shall be necessary to constitute a quorum, and said Chairman shall hold the office of Chairman of Marshall County Court from said first Monday in April, 1887, until the next regular election in January. County Judge to assemble Justices for purpose of electing Chairman.

thereafter, and until his successor is elected and qualified.

**Rights and  
powers of  
Chairman.**

SEC. 4. *Be it further enacted*, That the Chairman of the County Court of Marshall County shall have, possess, exercise, and discharge all the rights, privileges, and duties, and shall have, possess, exercise, and discharge all jurisdiction, powers, duties, and privileges, now possessed, exercised, and discharged, invested in, imposed, and conferred by the Act of 1875, Chapter 70, and all existing laws, upon the Chairmen of the County Courts of the various counties in this State; and said Chairman is further invested with all the powers, and with the same jurisdiction and authority wherewith County Judges are now invested, and shall comply with all the requirements of, and perform all the duties imposed by, law creating and regulating the powers and duties of Chairmen of the County Courts and County Judges of this State.

**County Court  
Clerk.**

SEC. 5. *Be it further enacted*, That the County Court Clerk shall be, and continue to be, the Clerk of the County Court, to be held and presided over by the Chairman; and shall have all the powers, jurisdiction, and authority now vested in and possessed by him, and shall comply with all the requirements of, and perform all the duties imposed by, law creating and regulating the powers and duties of Clerks of the County Courts of the State.

**Duties of  
Chairman.**

SEC. 6. *Be it further enacted*, That the Chairman of the County Court of Marshall County shall attend and hold his courts as now required and prescribed by law, and shall preside over the deliberations of the courts and attend to all matters, and adjudicated and determined all questions, and do all other acts and things, and perform all and such other duties as now are, or may be, assigned him by law, and said Chairman for his services as Chairman and presiding officer of the County Court, and as financial agent and accounting officer of said county, shall be entitled to have, draw, and receive such compensation, and in such way and manner as is now allowed, regulated, and prescribed by law:

**Compensation.**

SEC. 7. *Be it further enacted*, That all acts and parts and provisions of any act or acts in conflict with this Act be, and the same are hereby, repealed, and that

this Act take effect from and after the 1st day of April, 1887, the public welfare requiring it.

Passed March 7th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 14th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 85.

**AN ACT** to provide a more just and equitable mechanic's lien law, and to afford mechanics, co-tractors, sub-contractors, and material men greater security for work done and material furnished.

**SECTION, 1.** *Be it enacted by the General Assembly of* Code amended *the State of Tennessee, That Section 2746 of the Revised Code shall read as follows, viz.: Every journeyman or other person employed by such mechanic, founder, or machinist to work on the buildings, fixtures, machinery, or improvement, or to furnish material for the same, shall have this lien for his work or material; Provided, That within thirty days after the building is completed, or the contract of such laborer, mechanic, or workman shall expire, or he be discharged, he or they shall notify in writing the owner of the property on which the building or improvement is being made, or his agent or attorney, if he resides out of the county, that said lien is claimed, and said lien shall continue for the space of ninety days from the date of said notice in favor of such sub-contractor, mechanic, or laborer, and the same shall have precedence over all other liens for such time; Provided, A statement of the amount due for such work, labor, or materials shall be filed with the County Register, who shall note the same for registration, and put it on record in the Trust* A statement of amount due to be filed with County Register.

Book in his office, for which he shall have fifty cents, and also twenty-five cents for registering the affidavit to the same, which shall be paid by the party filing the same; but said fee shall be receipted for on the statement of account, and shall be charged as part of the cost, and this registration shall be notice to all persons of the existence of such lien.

Married women.

SEC. 2. *Be it further enacted*, That if the work, or improvement, or materials be furnished for work done on the lands of any married woman, who has not signed the contract or agreement in writing, as provided in Section 2741 of the Revised Code, and in ignorance on the part of said mechanic, laborer, or furnisher of her right or claim, and if said married woman shall refuse to recognize or agree to said lien, said mechanic, laborer, or furnisher, shall have the right, after giving ten days' notice, to take and remove such property, or the parts of the same on which his labor was performed, or materials, machinery, or other property was used; and, *Provided further*, The right of removal shall apply to all other cases of parties under disability, whether as minors, persons of unsound mind, or *cestui que trusts*, or in other cases of superior titles or liens, when the work was done by the laborer or mechanic, in ignorance of the rights of such parties, and said right of removal shall be extended to any repairs or improvements ordered by the tenant or occupier, when the owner of the leased or rented premises declines to pay therefor, the same to be removed without injury to the property originally leased or rented; *Provided*, That the courts of law or equity in this State shall have jurisdiction to hear and determine, and to enforce such liens on the property of persons in the cases aforesaid, care being had to protect the rights of such parties, as well as mechanics, laborers, and furnishers aforesaid.

Courts having jurisdiction.

Owner of property may require refunding bond.

SEC. 3. *Be it further enacted*, That the owner of the property on which the improvement is made shall have the right to demand from the original contractor an indemnity or refunding bond to protect him in cases of the enforcement of this lien by such sub-contractors, mechanics, or furnishers, and in the event such contractor is paid for the work done, or any part of it, covered by the foregoing sections, and on payment to such sub-contractor, mechanic or furnisher, of the amount due, he shall have judgment for such amount by motion on such bond in any court having

Jurisdiction in such cases; *Provided*, That the contractor shall have the right to contest the legality of the claim of such mechanic or furnisher employed by him before he is made liable.

SEC. 4. *Be it further enacted*, That all laws in conflict with this Act are hereby repealed.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 7th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 21st, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 86.

**AN ACT** to prescribe the mode of submitting the proposed amendment to the Constitution to the vote of the people.

WHEREAS, The Constitution, in providing for its amendment, makes it necessary that the proposed amendment shall pass by a majority of the members of the Legislature at one session, and by a majority of two-thirds at the succeeding session, and then be submitted to the people to be ratified by a majority of all the citizens of the State, voting for Representatives, voting in its favor; and

WHEREAS, Said proposition to amend the Constitution, known as Senate Joint Resolution No. 2, did pass the Forty-fourth General Assembly by a majority vote, and the present General Assembly of Tennessee by a two-thirds vote of all the members elected to each House; therefore,

Time of election.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That on the last Thursday of September, 1887, there shall be opened and held at each and every precinct or place of election in this State an election for the purpose of submitting to the people for their approval and ratification or rejection, the said proposed amendment to the Constitution of this State; and the Governor of this State is hereby directed to issue his proclamation at least sixty days before the last Thursday of September, 1887, stating therein the amendment proposed by the Forty-fourth General Assembly of Tennessee, and that the same was agreed to by a majority of that General Assembly, and that two-thirds of all the members of this present General Assembly elected to each House had agreed to the proposed amendment in conformity with the requisitions of the Constitution, that the said amendment is to be submitted to the people for their approval or rejection on the last Thursday in September, 1887, which proclamation shall be published in two newspapers in each grand division of the State, one of each political party.*

Sheriff to advertise election.

**SEC. 2.** *Be it further enacted, That the Sheriffs of each and every county of this State shall advertise, in written or printed notices, at the Court-house door, and at each and every precinct or place of election within their respective counties, at least forty days before the last Thursday in September, 1887, that the vote of the people will be taken on that day upon the ratification of the proposed amendment to the Constitution.*

Tickets.

**SEC. 3.** *Be it further enacted, That it shall be the duty of every officer holding the election on the day aforesaid to have tickets prepared sufficient in number for each voter in his respective district, which shall be written or printed in the following forms, to-wit: Those for the amendment shall have on them "For the proposed amendment;" those against the amendment shall have on them "Against the proposed amendment."*

Duty of persons holding election.

**SEC. 4.** *Be it further enacted, That it shall be the duty of the officer or officers, clerks, and judges holding the election in the different districts and voting precincts of each county, to make due return thereof of the number of votes cast for and against the amendment to the Sheriff of the county, certified as other election returns are now certified, and it shall be the*

duty of the Sheriff to make return thereof, properly certified, as in cases of other elections, to the Secretary of State, and the Secretary of State, the Governor, and Comptroller are hereby constituted a "Board of Inspectors," whose duty it shall be to <sup>Board of Inspectors.</sup> compare and canvass said vote, and to certify the result thereof by proclamation duly made for thirty days in some daily or other newspaper published at Knoxville, Chattanooga, Nashville, and Memphis, and a copy of said publication, duly certified by said board, shall be filed in the office of the Secretary of State.

SEC. 5. *Be it further enacted*, That any Sheriff, Constable, or judges and clerks of election failing to perform their duties as prescribed in this Act, shall be guilty of a misdemeanor, and punished as in other cases of misdemeanor, or in accordance with the law governing the failure of such officers to perform their respective duties in making due and proper returns in such cases.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 7th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 15th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 87.

AN ACT to amend an act to incorporate the town of New Market, in Jefferson County, Tennessee, and the various amendments thereto.

**Act amended.**

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the act incorporating the town of New Market, in Jefferson County, Tennessee, and the various amendments thereto, be, and the same are hereby, amended so as to read as follows:*

**Boundaries.**

SEC. 2. *Be it further enacted, That the buts and bounds of said corporation shall begin at west corner on a stone on the north bank of the East Tennessee, Virginia & Georgia Railroad, and running thence south with Griffin and Dick's lines to Main Street; thence up the hollow to a cedar tree; thence northeast with Dick's hill fence fronting the Holsten Seminary to a gum stump east of Dr. Taylor's barn; thence northeast to stake in Loy's field with the dirt road to the East Tennessee, Virginia & Georgia Railroad to a stake on north bank of the same; and thence with north bank of said road to place of beginning.*

**Corporate powers.**

SEC. 3. *Be it further enacted, That said corporation by such name and style shall have perpetual succession, shall sue and be sued, plead and be impleaded, in all courts of law and equity, and in all actions whatever; may purchase, receive, and hold personal and real property within the corporation limits, and may purchase, receive, and hold both real and personal property within or beyond said corporate limits, to be used for the burial of the dead, for the erection and keeping up hospital houses, quarantine houses or stations, work-houses or houses of correction, and water-works, and may sell, lease, or dispose of all said property for the benefit of the corporation; but the sale of property shall be done at public auction; and may do all other things touching said property as natural persons, and shall have and use a common seal, which may be changed at the pleasure of the Board of Mayor and Aldermen.*

SEC. 4. *Be it further enacted, That the corporation aforesaid shall have full power and authority to enact*

and pass such laws and by-laws to prevent and remove nuisances, to provide for licensing and regulating auction; taxing, regulating, or restraining theatrical or other public amusements and shows within the bounds of the corporation; to restrain and prohibit gambling; to regulate the sale of spirituous liquors; to establish night watches and patrols; to ascertain, when necessary, the boundary and location of streets, lanes, and alleys, with the consent of the proprietors of the lots and houses adjoining such streets, lanes, and alleys; to have and keep in repair the streets; to pass all laws necessary for the same; to establish the necessary inspections within the town; to enact and regulate markets, drays, and personal privileges; to provide for the establishment and regulation of a fire company; to provide water by digging of wells or otherwise; to enact and regulate pumps, pipes, and sewers; to impose and appropriate fines, penalties and forfeitures for a breach of the by-laws or ordinances; to appoint a Recorder; to levy and collect taxes for the purpose of carrying the necessary measures into operation for the benefit of said town; and to pass all laws and ordinances necessary and proper; to carry interest and meaning of this Act into effect, provided they are not incompatible with the Constitution and laws of the State.

Sec. 5. *Be it further enacted*, That the Sheriff of Jefferson County, after ten days' previous notice, shall by himself or one of his deputies, or in case of failure of either, the Mayor may hold an election in the town of New Market on the first Saturday in January, one thousand eight hundred and eighty-eight, and on the same day of each and every succeeding year, for the purpose of electing seven persons to serve as Mayor and Aldermen for one year, commencing the first Saturday in January, one thousand eight hundred and eighty-eight, the day of their election; and all persons living within the limits of said corporation, who would be qualified to vote for the members of the General Assembly of this State, and persons owning a freehold within the bounds or limits of said corporation, and otherwise entitled to vote, shall be entitled to vote for Mayor and Aldermen, also for Magistrate for said corporation; and no person shall be eligible for the office of Mayor, Alderman, Town Constable, or Magistrate, unless he be a citizen or freeholder, or householder, in the town of New Mar-

Mayor and  
Aldermen to be  
elected an-  
nually.

Qualification  
of voters.

Who are  
eligible.

ket, and in case of death, removal, or resignation, of any one of the officers of said corporation, the Mayor and Aldermen shall have power to fill such vacancy for the time unexpired, except as to Magistrate, who shall be elected by the qualified voters.

**Certificate of election.**

SEC. 6. *Be it further enacted*, That the several persons so qualified as aforesaid, having the highest number of votes at any election held, shall be taken as duly elected, and the Sheriff or his deputies, or other person holding the election as aforesaid, shall, within three days thereafter, give each of the seven Aldermen and Magistrate a certificate of their election, and it shall be the duty of the persons receiving said certificates of their election, to meet at the Town Hall in New Market, on the next day after receiving said certificates, and after having been qualified, the Mayor and Aldermen, four of whom shall constitute a quorum, shall proceed to elect a Recorder for said corporation for the same time for which the Mayor and Aldermen were elected as aforesaid; and the person or persons appointed or elected by them, shall serve until the first Saturday in January succeeding, one thousand eight hundred and eighty-eight, or until their successors are elected and qualified.

**Oath.**

SEC. 7. *Be it further enacted*, That the Mayor and Aldermen of said town shall, before entering upon the duties of their office, take an oath before some Justice of the Peace for Jefferson County, to faithfully, uprightly, and honestly, demean themselves, as Mayor and Aldermen of said corporation during their continuance in office.

**Constable.**

SEC. 8. *Be it further enacted*, That the Constable so elected shall continue in office for one year from the time of his election; and, before entering upon the duties of his office, give bond and sufficient security in the sum of five hundred dollars, to be approved by the Board of Mayor and Aldermen, for the faithful discharge of the duties of his office, and accounting for all moneys by him collected and corporation taxes.

**Duty of Recorder in regard to delinquent tax on realty.**

SEC. 9. *Be it further enacted*, That when any tax or duty shall be imposed upon any real property laying within the bounds of said corporation and not paid by the owner or occupant of the same, and there shall not be any personal property of the owner of said lot or real estate, within the bounds of said corporation upon which the same could be levied, then it shall be the duty of the Recorder to certify the

same to the Circuit Court of Jefferson County at the same term to which the Trustee of said county is required to report lands in this county on which the State and county tax has not been paid, and upon said report at said time, it shall be the duty of said Circuit Court to enter up a judgment for the tax due said corporation in the same manner that judgments are required to be returned for the non-payment of the tax due the State and county upon lands laying within the county, and the same shall be sold at the same time and in the same manner, subject to the same rules and regulations and restrictions that are by law required for the sale of land laying within said county, on which the State and county tax has not been paid, which tax, when collected by the Sheriff, shall be paid by him into the hands of the Town Constable for the use of said corporation, which sale, when in the manner aforesaid made, shall vest the same right and title in the purchaser as if the sale had been made for taxes due the State, and it shall be the duty of the Recorder on the first Monday in November of each year to make out and certify to the Constable of said corporation of New Market a complete alphabetical list of persons within said corporation who have failed to pay any taxes, and the amount thereof which has been assessed against them, or when said Recorder has reason to believe that any portion of the taxes assessed against any person within said corporation may be lost by reason of removal or otherwise, he shall immediately certify the same to the Constable as he is required to do on the first Monday in November, which certificate in the hands of the Constable, shall have the same effect as an execution from a court of record based on a valid judgment of the same, and said Constable may levy the same upon any personal property to be found belonging to the person owing said taxes, and advertise and sell the same as in case of other executions.

Sec. 10. *Be it further enacted*, That the Sheriff of Jefferson County shall, previous to holding an election for Mayor and Aldermen and Magistrate for said corporation, as provided in Section 4 of this Act appoint three respectable citizens in the town of New Market who shall act as judges of said election, one of whom shall act as clerk of said election.

Sec. 11. *Be it further enacted*, That if for any cause the Sheriff shall fail or neglect to hold an election for

Recorder to cer-  
tify list of de-  
linquents to  
Constable.

the aforesaid officers, on the first Saturday in January of each an every year, he may at any time thereafter open and hold an election for the aforesaid officers, by first giving ten days' notice of said election, for the balance of the unexpired term.

Directory to  
Constable and  
Recorder.

Recorder to dis-  
burse all  
money.

Duties of  
Mayor.

Sec. 12. *Be it further enacted*, That the Constable shall pay over monthly to the Recorder all sums of money collected by him for said corporation, and the Recorder shall render semi-annually of each year, and as much oftener as the Board of Mayor and Aldermen shall require, a full and complete statement of the finances under his control, and the Recorder shall exhibit to the board semi-annually of each year, a full and complete statement of the finances of said corporation, and he shall also, within thirty days from the time of assessing the taxes of said corporation, deliver to the Town Constable a tax-list, which shall be the authority of said Constable for collecting the taxes therein specified, and the Recorder shall preserve a copy of said tax-list with the papers of the corporation. No money shall be paid out except by the Recorder, and in no case shall he do so except upon the order of the Mayor, made in pursuance of the directions of the Board of Aldermen. At the expiration of his term of office, the Recorder shall deliver to his successor all books and papers belonging to the corporation and take the receipt for the same, and make a final settlement with the Board of Mayor and Aldermen.

Sec. 13. *Be it further enacted*, That it shall be the duty of the Mayor to preside at all meetings of the Council; to take care that all the ordinances and by-laws of the town are duly and properly enforced, respected, and observed within the town; to take an oath of office before he enters upon the duties of the same, and call special meetings of the Board of Mayor and Aldermen whenever he may deem it expedient; to make such suggestions and give instructions in reference to the actions of said board as in his judgment will be most conducive to the interests of the corporation; to give orders upon the Recorder of said board whenever said board shall direct the same to be done, for the payment of any money that may be due from said corporation; to employ counsel in behalf of the corporation in any case in which said corporation may be interested when, in his judgment, the same may be necessary.

Sec. 14. *Be it further enacted*, That said Board of <sup>Power to elect</sup> Recorder. Mayor and Aldermen shall have power to elect a Recorder for said corporation who shall not be a member of said Board of Mayor and Aldermen, and he shall hold his office for the term of one year, or until his successor is elected and qualified.

Sec. 15. *Be it further enacted*, That in addition to <sup>Powers of</sup> Recorder. the duties imposed upon the Recorder by this Act, he shall be invested with the full power and authority to try all offenses for violation of the ordinances and by-laws of said corporation, and said Recorder of the town of New Market be, and is hereby, invested with concurrent jurisdiction with Justices of the Peace in all cases of violation of the criminal laws of the State, or of the ordinances or by-laws of the Board of Mayor and Aldermen of the town of New Market within the corporate limits of said town, and be entitled the same fees now allowed to Justices of the Peace for like services.

Sec. 16. *Be it further enacted*, That the Board of <sup>Powers of Board of Mayor and Aldermen.</sup> Mayor and Aldermen of said corporation shall have full power and authority to erect a work-house and lock-up or calaboose for the safe keeping of persons, and when any person or persons convicted of any violations of any by-laws or ordinances of said corporation fails or refuses to pay, or secure to be paid, the fines and costs accruing thereon, the Mayor and Aldermen may provide by ordinance for their confinement in said lock-up or work-house or calaboose, and put them to work for the town, either within an enclosure or on the streets and other public works, under proper guard or secured by ball and chain, at such wages as the board may adopt by ordinance until said fine and costs are paid.

Sec. 17. *Be it further enacted*, That the Board of <sup>Board to appoint Marshal and policemen.</sup> Mayor and Aldermen shall have full power and authority to appoint a Marshal and as many policemen as in their judgment they may deem necessary at any time to preserve the peace and quiet of the town, or to enforce the ordinances of said corporation; to fix their term of office and regulate the salary of the same. Said watchmen or police so appointed shall have power to execute all processes that the Town Marshal or Constable is authorized to execute, provided that said watchmen or police shall not have authority to collect municipal taxes. Said Board of Mayor and Aldermen to have power and authority to appoint all

other officers and agents for the corporation that they may deem necessary, and provide by ordinance for the compensation of said officers or agents.

**Bond.**

SEC. 18. *Be it further enacted*, That before entering upon their respective duties, the Recorder and Marshal so elected or appointed by Board of Mayor and Aldermen, shall each give bond with sufficient security to said Mayor and Aldermen in the sum of five hundred dollars, conditional that they shall faithfully and honestly discharge their duties and account for all money that may come into their hands by virtue of their office.

**Authority to remove from office.**

SEC. 19. *Be it further enacted*, That the Board of Mayor and Aldermen shall have full power and authority to dismiss and remove such officer or agent appointed or elected by them, including the office of Recorder or Marshal, for incompetency or any violation, neglect, or disregard of the duties imposed upon them by the laws and ordinance of said corporation, provided two-thirds of the Board of Mayor and Aldermen concur in their dismissal or removal.

**Authority to lay off and open streets, etc.**

SEC. 20. *Be it further enacted*, That the Board of Mayor and Aldermen of the town of New Market shall have full power and authority to lay off and open streets, lanes, and alleys in said town, and extend the old ones, for the convenience of the inhabitants thereof in the manner and mode prescribed by the Code of Tennessee, and may, by ordinance or otherwise, require owners of business houses to place good, substantial brick or stone pavements in front of their business houses.

**Authority to provide for arrests, etc.**

SEC. 21. *Be it further enacted*, That the Mayor and Aldermen of New Market shall have power and authority, by ordinance, within the town to provide for and arrest and confinement until trial of all riotous and disorderly persons within the town by day or night, and to authorize the arrest and detention of all suspicious persons found violating any ordinance of the town.

**Compensation of officers.**

SEC. 22. *Be it further enacted*, That the officers created by this Act, and authorized to be created, shall be paid such fees and salaries and compensation as the Board of Mayor and Aldermen may provide for by ordinance unless otherwise provided for by this Act.

**Marshal to have charge of work-hands.**

SEC. 23. *Be it further enacted*, That the Marshal elected or appointed by the Board of Mayor and Al-

dermen shall have charge of work-hands on the streets, keep their time, and see that they do good work.

Sec. 24. *Be it further enacted*, That the Mayor and <sup>Succession.</sup> Aldermen of the town of New Market, elected in accordance with the fifth section of this Act, shall succeed to all the property, real or personal, and to all unpaid fines, taxes, and dues of any and all kinds of the present New Market taxing district with full power and authority to collect and reduce to possession all of said fines, taxes, or dues now belonging to said taxing district, and shall assume and pay the liabilities of the present board incurred in good faith, and for the benefit of New Market taxing district.

Sec. 25. *Be it further enacted*, That all acts or parts of acts contrary to and inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Sec. 26. *Be it further enacted*, That the Mayor and Aldermen elected on the first Saturday in January, 1887, are hereby declared duly elected, and shall have full power as such to be governed by amendments herein enacted, the public welfare requiring the same.

Passed March 8th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

12—Acts.

## CHAPTER 88.

**AN ACT to enlarge and define more clearly the powers of the Mayor and Aldermen of the town of Bristol in relation to their subscriptions of stock to railroad companies.**

**WHEREAS**, On the 11th day of August, 1886, the Mayor and Aldermen of the town of Bristol, a municipal corporation in the State of Tennessee, in pursuance of the twenty-ninth article of the Constitution of Tennessee, and the Acts of the General Assembly of said State, of 1870-1, Chapter 5, 1871, Chapter 129, 1881, Chapter 52, subscribed twenty-five thousand dollars stock in the South Atlantic and Ohio Railroad, running to said town of Bristol; and

**WHEREAS**, As appears from the records of said municipal body, the question of making said subscription was previously submitted to the voters of said corporation as required by law, and that the vote so taken was unanimously in favor of said subscription; and

**WHEREAS**, All the other essential requisites have been fully complied with, as required by law, in making said subscription; therefore,

**Authority to issue bonds.**

**SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee***, That said Mayor and Aldermen of the town of Bristol are fully authorized and empowered to issue such bond or bonds, with coupons attached, or such other evidences of debt as may be necessary to enable the said Mayor and Aldermen of the town of Bristol to carry out in good faith their said subscription to said railroad company according to the terms and conditions of said subscription.

**SEC. 2. *Be it further enacted***, That in all cases where the said Mayor and Aldermen of the town of Bristol shall subscribe stock in any railroad company pursuant to the provisions of the twenty-ninth article of the Constitution of Tennessee, and the Acts of the General Assembly of 1870-1, Chapter 5, 1871, Chapter 129, and 1881, Chapter 52, said Mayor and Aldermen of the town of Bristol are fully authorized and empowered to issue such bond or bonds, with coupons attached, or other evidences of debt as may be necessary to enable the said Mayor and Aldermen of the

town of Bristol to carry out and perfect said subscription in good faith according to the terms and stipulations thereof.

SEC. 3. *Be it further enacted*, That the bonds that <sup>Denomination.</sup> shall be issued under the provisions of this Act shall not be of less denomination than one hundred dollars, nor of greater denomination than one thousand dollars; *Provided*, That when it shall be necessary to issue an evidence of debt for a fractional part of one hundred dollars, said fractional part may be covered by a certificate of indebtedness.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 8th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 15th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 89.

AN ACT to relieve druggists of all taxes that have accrued against them as liquor dealers under the revenue laws of 1881-2, 1883-4, and 1885-6.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all druggists in this State, who have made themselves liable for taxes as liquor dealers under the revenue laws of 1881-2, 1883-4, and 1885-6, making them liquor dealers, and who were not, in fact, using the druggists license as a blind, but were in good faith only selling the prohibited articles as medicine, be, and they are hereby, relieved from all liability for those years.

SEC. 2. *Be it further enacted*, That in all cases falling under the provisions of the foregoing section, where suits have been brought, and are now pending in any of the courts, the same shall be dismissed at defendants' cost, and that defendants shall be liable for and pay all attorney's fee due by the State for the institution and prosecution of suits against druggists under the laws of 1881-2, 1883-4, and 1885-6.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 9th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives,*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 15th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 90. .

AN ACT to abolish the charter of the town of Greenfield, Weakley County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the town of Greenfield, Weakley County, Tennessee, be, and the same is hereby, abolished; *Provided*, That nothing in this Act shall be so construed as to exempt the taxable property and polls within the bounds of said corporation from the payment of any and all outstanding debts against said corporation.

**Sec. 2. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.**

Passed March 9th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 91. ~

**AN ACT** to amend an act entitled "A Bill to establish taxing districts in this State, and to provide the means of local government for the same," being Chapter 11 of the Acts of 1879, and to enlarge the powers of said taxing districts to regulate gas companies and the price of gas.

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the act aforesaid be, and** Power to regulate and control gas companies. **the same is hereby, so amended as to confer power upon said taxing districts by ordinance to regulate and control all gas and other companies furnishing light to said districts and their inhabitants by means of pipes, wires, and other conductors laid in or over the streets or sidewalks of said districts.**

**Sec. 2. Be it further enacted, That said districts shall** Candle-power. **have power to enact by ordinance that the gas furnished as aforesaid to said districts and their inhabitants shall be of not less than sixteen candle-power, that the same shall be as pure and free from deleterious and hurtful elements as practicable. And said** Price. **districts shall have power by ordinance to regulate the rate to be charged for gas so furnished, but shall not regulate the price below one dollar and fifty cents per one thousand feet, when paid within the customary discount days, with the right on the part of said com-**

panies to add five per cent. thereto for non-payment within the discount days.

*Gas Inspectors.*

SEC. 3. *Be it further enacted*, That the legislativt councils of said districts shall have power to appoin Gas Inspectors, whose compensation shall be fixed by the Fire and Police Commissioners, and paid out of the lighting fund. It shall be the duty of such Inspector to see that the gas furnished is of the quality and illuminating power prescribed by ordinance, that the gas-meters furnish properly measure, the gas passing through them, and generally to perform such services as may be imposed upon him by ordinance.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 92.

AN ACT to change the times for holding the Chancery Courts in the Second Chancery Division.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Chancery Courts in the Second Chancery Division shall be held at the following times:

For Roane County—On the second Mondays in January and July.

For Scott County—On the first Mondays in March and September.

For Morgan County—On the second Mondays in March and September.

For Anderson County—On the third Mondays in March and September.

For Blount County—On the third Mondays in April and October.

For Sevier County—On the fourth Mondays in April and October.

For Campbell County—On the first Mondays in May and November.

For Union County—On the second Mondays in May and November.

For Loudon County—On the third Mondays in May and November.

For Knox County—On the fourth Mondays in May and November.

And that so much of Section 5 of an act "To divide the State of Tennessee into Judicial Circuits," etc. (Chapter 20), passed June 11th, 1885, as is in conflict with this Act, is hereby repealed.

Sec. 2. *Be it further enacted*, That this Act take effect on the third Monday in May next, the public welfare requiring it.

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 93.

**AN ACT** to repeal the charter of the Holly Springs, Brownsville and Ohio Railroad Company, and especially to repeal sections 14 to 21, inclusive, of Chapter 57 of the Acts of 1869-70, Section 1 of Chapter 55 of the Acts of 1869-70, and Sections 71 to 101, inclusive, of Chapter 47 of the Acts of 1868-9, granting said charter.

**WHEREAS**, The Holly Springs, Brownsville and Ohio Railroad Company was chartered by the Legislature of the State of Tennessee, to-wit: By Sections 14 to 21, inclusive, of Chapter 57 of the Acts of 1869-70, Section 1 of Chapter 55 of the Acts of 1769-70, and Sections 71 to 101, inclusive, of Chapter 47 of the Acts of 1868-9, and said corporation was organized under said charter, and began to build said road, and did build a part of same, and having become insolvent the affairs of said corporation were wound up in and by the Chancery Court at Brownsville, Tennessee, when, under decree of said court, the railroad and franchises of said corporation, with the road-bed and depot grounds and rights of way of same were undertaken to be sold during the year 1881, and bought by Thomas Steele, who immediately undertook to assign and convey the same by deed to J. B. Harris, of the State of New York, and said Harris has failed, and still fails, to take any steps towards completing or building said road; and

**WHEREAS**, In and by said charter it was expressly provided that "said road should be commenced within three years (from the grant of same), and finished within six years thereafter, otherwise the said charter should be void," and said charter has long since under the terms been void; now, therefore,

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That said Sections 14 to 21, inclusive, of Chapter 57 of the Acts of 1869-70, Section 1 of Chapter 55 of the Acts of 1869-70, and Sections 71 to 101, inclusive, of Chapter 47 of the Acts of 1868-9, granting said charter to said Holly Springs, Brownsville and Ohio Railroad Company be, and the same are hereby, repealed.*

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 94.

AN ACT to amend an act entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice and equity in the Circuit and Chancery and other inferior courts of this State, and to fix the time for holding the terms of said Chancery, Circuit, and other courts," passed at the extraordinary session of the General Assembly on the 11th day of June, 1885, and approved June 12th, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1 of said Act be so amended as to make the Eleventh Judicial Circuit of this State comprise, in addition to the counties therein enumerated, the county of Benton.

Sec. 2. *Be it further enacted*, That Section 4 of said Act be so amended as to make the times for holding the courts in said Eleventh Judicial Circuit as follows:

Madison County—Second Monday in January, and third Mondays in May and September.

Chester County—Third Mondays in February, June, and October.

McNairy County—Fourth Mondays in February, June, and October.

Times for holding Courts in  
Eleventh Judicial Circuit.

Henderson County—Second Mondays in March, July, and November.

Decatur County—Fourth Mondays in March, July, and November.

Perry County—First Mondays in April, August, and December.

Benton County—Second Mondays in April, August, and December.

**Twelfth Judicial Circuit.** SEC. 3. *Be it further enacted*, That said Section 4 of said act be so amended as to change the times of holding the courts in the Twelfth Judicial Circuit, to the following times:

Obion County—At Troy—First Monday in March, and second Mondays in July and November. At Union City—Third Mondays in February, June, and October.

Carroll County—First Mondays in January, May, and September.

Henry County—Third Mondays in January, May, and September.

Weakley County—First Mondays in February, June, and October.

Gibson County—At Humboldt—Third Mondays in March, July, and November. At Trenton—First Tuesdays after first Mondays in April, August, and December.

Crockett County—Third Mondays in April, August, and December.

Haywood County—Fourth Mondays in April, August, and December.

**Takes effect, when.** SEC. 4. *Be it further enacted*, That the act as to the times for holding the courts in the Eleventh Judicial Circuit as herein provided, take effect on the first day of May, 1887, and that as to the times for holding the courts in the Twelfth Judicial Circuit, that this Act take effect on the 15th day of April, 1887, and that as to all matters otherwise herein contained that this Act take effect from and after its passage, the public welfare requiring it.

**Bonds and recognizances.**

SEC. 5. *Be it further enacted*, That all bonds and recognizances heretofore taken, and all process issued and returnable to any of said courts as they now exist, shall be deemed and held valid and binding, and all bonds taken and process issued after this Act takes effect, shall be returnable to the terms of the courts as fixed in this Act.

Sec. 6. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed, and that this Act take effect as herein provided.

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 95.

**AN ACT** for the relief of the heirs-at-law of M. T. Haynes, deceased, of Sullivan County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Back Tax Collector for said county of Sullivan be, and he is hereby, instructed to collect from said heirs the taxes for the years 1868, 1870, and 1871, due the State, on a valuation of nine hundred dollars, and the interest on the same, and that any amount of taxes in excess of what would accrue from that valuation be, and the same are hereby, remitted.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 96.

**AN ACT to authorize the County Court of Humphreys County to issue bonds to build a free bridge across Duck River, in said county.**

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the County Court of Humphreys County, at any quarterly term, be, and it is hereby, authorized to issue bonds of said county to the amount of ten thousand dollars, for the purpose of building a free bridge across Duck River, in said county.*

**SEC. 2.** *Be it further enacted, That whenever said county shall authorize the issuance of said bonds they shall be signed by the Chairman of said court and countersigned by the Clerk, in sums of \$100, \$500, and \$1,000, each, bearing interest at three per cent. per annum, with coupons attached, and mature in three equal annual installments, at one, two, and three years.*

**SEC. 3.** *Be it further enacted, That said bonds shall not be sold or delivered at less than their face value.*

**SEC. 4.** *Be it further enacted, That said county shall have no authority to receive any toll or remuneration whatever, from any one passing over said bridge.*

**SEC. 5.** *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 97.

**AN ACT** to abolish the charter of the town of McLemoresville, in Carroll County, Tennessee.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the charter of the town of McLemoresville, in Carroll County, Tennessee, be, and the same is hereby abolished,*

**Sec. 2.** *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 98.

**AN ACT** authorizing the sale of the Huntsville Academy and to apply the proceeds thereof.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the Trustees of the new Huntsville Academy be authorized and directed to advertise and sell, transfer and convey the old Huntsville Academy on such terms as they may deem best, together with the lot on which it stands, the same being lot No. 40 in the plat of the town of Huntsville, Scott County, Tennessee, and that the proceeds thereof be turned over to the County Trustee of Scott County, and to be paid out by the Trustee as other school funds.*

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 99.

AN ACT to change the line between the counties of Lincoln and Moore.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between Lincoln and Moore Counties be changed as follows: Beginning on the county line between the lands of L. J. Robertson and Elijah Reagan, where the present county line intersects their line, and run thence south to said Robertson's southeast corner; thence west with his southwest boundary to his southwest corner in West Mulberry Creek; thence up said creek with his west boundary to the present county line, so as to throw said Robertson's lands entirely in Moore County, Civil District No. 7.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 100.

**AN ACT to extend the limits of the corporation of the town of McMinnville.**

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the corporate limits of the town of McMinnville be extended as follows: Beginning at the southeast corner of Henry Meadows' lot, on the Beersheba road, and running in a direct line to the North Ford on Barren Fork, to the northeast corner of O. M. Thurman's lot, at the mouth of a spring branch, which is a corner between O. M. Thurman and Mrs. Hartwells; thence west with said line to the Sparta road, so as to include the property of O. H. Argo and O. M. Thurman; thence with the present line to D. Osbmen's front yard gate (formerly S. B. Waters'); thence on the north side of Smithville Street to a culvert beyond E. J. Wood's residence; thence southwardly to a sugar-tree near the south corner of said Wood's residence; thence on in a southwardly direction to the north corner of John Thompkin's lot, including the residence of A. P. Seitz; thence west with the west boundary lines of said Thompkins and Mrs. Binkley's and A. M. Doughty's lots to the Barren Fork, including the dwelling-house belonging to Mrs. O. Clement, and excluding the lot of James H. Hughes.*

**Sec. 2.** *Be it further enacted, That all acts and parts of acts of the General Assembly of the State of Tennessee in conflict with this Act be, and the same are hereby, repealed.*

**Sec. 3.** *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 101.

AN ACT to amend the Charter of the Central Benefit Association.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Central Benefit Association be, and is hereby, authorized to make provision for the perfecting of the security of the benevolent fund of the association by making the certificates of persons who may borrow from the association any of the safety or benevolent fund permanent security.

SEC. 2. *Be it further enacted,* That the association may provide to give a paid-up certificate to any person or persons, who have been regular contributors to the association, by paying dues and assessments for a period of five or more years.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 102.

AN ACT to change the line between the counties of Clay and Jackson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Clay and Jackson be so changed as to include

in Clay County a certain island, or so much thereof as is owned by B. K. Biggerstaff, lying in Cumberland River, now part in Jackson and part in Clay County, and known as Brimstone Island.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 103.

**AN ACT** to change the line between the counties of VanBuren and Sequatchie.

WHEREAS, A tract of land known as the Big Opening, and entered by Gideon Bouldin and owned by Thomas S. and A. C. Myers; and

WHEREAS, Three-fourths of said tract of land lies in Sequatchie County, and one-fourth is lying in Van Buren County, and the said Thomas S. and A. C. Myers desiring all of said tract of land to be included in the county of Sequatchie.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of VanBuren and Sequatchie be changed so as to include all of the tract of land known as the Big Opening, and entered by Gideon Bouldin, and now owned by Thomas S. and A. C. Myers, in the county of Sequatchie.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 104.

AN ACT to change the line between the counties of Franklin and Moore.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Franklin and Moore be, and the same is hereby, so changed as to include the lands of E. M. Bean in the county of Franklin, and all the lands of Messrs. J. C. Tipps, Jr., and James Reed, and all the lands of John Cashion and C. H. Bean in the county of Moore.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 105.

**AN ACT to change the line between the counties of Dickson and Cheatham.**

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the county line between the counties of Dickson and Cheatham be changed as follows, to-wit: Beginning at Paint Rock Bluff, where the Dickson County line leaves the river; thence up the river with its meanders, to the mouth of Trace Creek; thence up said creek to the Dickson and Cheatham County line, so as to include what is known as the Horse Shoe in Dickson County, and all that part of Dickson County east of Harpeth River above Paint Rock Bluff, be and is, attached to Cheatham County.*

**Sec. 2.** *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 11th 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 106.

**AN ACT making it a misdemeanor to carry on barbering on Sunday.**

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That it shall be a misdemeanor for any one engaged in the business of a barber to*

shave, shampoo, cut hair, or keep open their bath-  
rooms on Sunday.

SEC. 2. *Be it further enacted*, That any one found guilty of violating the first section of this Act shall be fined not less than ten dollars, nor more than fifty dollars, or imprisoned in the county jail not less than five nor more than thirty days, both or either, in discretion of the court.

Passed March 11th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 21st, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 107.

AN ACT for the relief of Henry Gregory, of Rutherford County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Funding Board composed of the Governor, Comptroller, and Treasurer be, and are hereby, authorized and empowered to fund for the benefit of Henry Gregory, of Rutherford County, Tennessee, the mutilated five-hundred-dollar bill of Tennessee money, now the property of said Henry Gregory, being No. 243.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 108.

**AN ACT** to change the line between the counties of Bedford and Moore, so as to embrace a remnant of Samuel Bobo's lands, now in Bedford, in Moore County.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Bedford and Moore is hereby so changed as to embrace in the county of Moore the whole of the tract of land known as the Bayless Davis tract, and owned by Samuel Bobo, of the county of Moore. This change of said line between said counties of Bedford and Moore, to begin at a point on said county line, near the last boundary of the lands of Joseph Hastings, on or near the waters of Thompson's Creek, in said counties of Moore and Bedford, and running to a point in the public road near to and just above the residence of Samuel Faris, Esq., on said Thompson's Creek. The transfer of said tract of land to be made from Twenty-fourth Civil District of Bedford County to Tenth Civil District of Moore County.

**Sec. 2.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR.  
*Governor.*

## CHAPTER 109.

### AN ACT to establish a Special Court at Dayton, Rhea County, Tennessee.

Law Court of Dayton.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That there shall be held at Dayton, a Common Law Court, for the Seventh, Eighth, Tenth, and Eleventh Civil Districts of Rhea County, to be called the Law Court of Dayton, and to constitute one of the courts of the Fourth Judicial Circuit, and to be held by the Judge thereof, with common law jurisdiction, original and appellate, over all cases arising at law within said civil districts, of a civil, commercial, or criminal nature, and that the Attorney-General of said Fourth Circuit shall attend said court, and transact the business appertaining to his office thereat.*

Jurisdiction.

SEC. 2. *Be it further enacted, That the Law Court of Dayton has general common law jurisdiction, original and appellate, in all cases at law of a civil or criminal character, arising in the civil districts named in the first section of this Act, and that no resident of said districts shall be sued in the Circuit Court of Rhea County, Tennessee, nor to be presented or indicted therein, unless the offense was committed in the county outside of the districts named in the first section of this Act. When the court hereby established has the jurisdiction of the cause of action, counterparts of writs may issue from said court for joint defendants residing out of said districts.*

SEC. 3. *Be it further enacted, That the Law Court of Dayton shall have the powers within the local jurisdiction that belongs by law to the Circuit Court of this State.*

Grand jury.

SEC. 4. *Be it further enacted, That the Judge of said court shall, at each term thereof, order the impaneling of a grand jury, which shall have the same powers within the limits of said civil districts, and be governed by the same laws as other grand juries are.*

Jurors.

SEC. 5. *Be it further enacted, That the County Court of Rhea County shall designate and cause to be summoned, by the Sheriff or his deputy, a sufficient number of the resident citizens of the civil dis-*

tricts named in the first section of this Act, to serve as jurors in said court; *Provided*, That the jurors for the first term of said court to be holden on the first Wednesday after the second Monday in May next, shall be designated by said County Court at its April term, 1887.

**Sec. 6.** *Be it further enacted*, That the Clerk of the Circuit Court at Washington shall, upon application of either party, in person or by attorney, transfer any cases now pending in the Circuit Court of Rhea County, to the Law Court of Dayton, when the defendant is a resident within the local jurisdiction of the court established by this Act.

**Sec. 7.** *Be it further enacted*, That the Sheriff of Rhea County shall appoint one or more of the citizens of said county of Rhea, deputies, who shall qualify as other deputies, and shall reside within the local jurisdiction of the Law Court of Dayton.

**Sec. 8.** *Be it further enacted*, That the Clerk of the Circuit Court of Rhea County shall be the Clerk of said court, and shall keep an office by himself or deputy, at Dayton, which shall be open all the time for the transaction of business.

**Sec. 9.** *Be it further enacted*, That the expenses of holding the Law Court of Dayton shall be paid out of the Treasury of Rhea County, under the rules and restrictions as provided by law for the payment of the expenses of the Circuit Court of said county of Rhea.

**Sec. 10.** *Be it further enacted*, That the Law Court <sup>When held.</sup> of Dayton shall be held on the first Wednesday after the second Mondays of May, September, and January, of each year.

**Sec. 11.** *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11th, 1887.

W. L. CLAPP.  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 21st, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 110.

AN ACT to change the line between Robertson and Montgomery Counties, for the benefit of J. G. Gwynn.

WHEREAS, It appears that J. G. Gwynn owns a farm on the line of Robertson and Montgomery counties, and that one hundred and seventeen acres lie in Robertson County and eight acres in Montgomery County, causing said J. G. Gwynn a great deal of trouble in the payment of tax and in other ways; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between Robertson and Montgomery counties be so changed as to include the eight acres of the farm of J. G. Gwynn now lying in Montgomery within the lines of Robertson County.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 111.

**AN ACT** to amend an act passed June 11th, 1885, by the extraordinary session of the General Assembly, entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice and equity in the Circuit and Chancery and other inferior courts of this State, and to fix the time for holding the terms of said Chancery, Circuit, and other courts."

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That Chapter 20, Section 5, of the Acts of 1885, fixing the time for holding the courts in the Ninth Chancery Division be amended so as to read:*

Carroll County—First Mondays in February and August.

Chester County—First Mondays of March and September.

Crockett County—Second Mondays of March and September.

Hardeman County—Third Mondays of March and September.

Henderson County—First Mondays of April and October.

McNairy County—Third Mondays of April and October.

Madison County—First Mondays of May and November.

Henry County—First Mondays of June and December.

**SEC. 2.** *Be it further enacted, That all process or bonds from said courts be made returnable in conformity with the foregoing section; and that all process heretofore issued by the Clerks of said several Chancery Courts, and which were made returnable to the terms of said courts as they now exist, shall be deemed and held valid.*

**SEC. 3.** *Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.*

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 112.

### AN ACT for the relief of Cosby & Brother, of Rutherford County.

WHEREAS, Messrs. Cosby & Brother, of Murfreesboro, Rutherford County, were, during the years 1881, 1882, and 1883, retail dealers of liquors in said town and county, under privilege license as such retail dealers; and

WHEREAS, Under a construction of the Comptroller of the revenue laws of 1881, they were compelled to pay a wholesale privilege license of one hundred and fifty dollars, or for two years amounting to one hundred and fifty dollars, because their sales under their retail license amounted at that time to as much as one quart; and

WHEREAS, They were not liable to such wholesale tax under the decision of the case of the State *vs.* Lowenhaught, 11 Lea, page 13, and said tax for the two years, amounting in all to one hundred and fifty dollars; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Comptroller is hereby directed to draw his warrant on the Treasurer of Tennessee, in favor of Messrs. Cosby & Brother, for

the sum of one hundred and fifty dollars, and the Treasurer is hereby directed to pay the same out of any moneys in the Treasury.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 113.

AN ACT to amend the charter of the town of Somerville, and to change the time of holding elections in said town, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 8 of Chapter 17 of an act passed the 24th day of January, 1854, and entitled "An Act to incorporate the town of Somerville, in the county of Fayette," and also that Sections 1 and 2, Chapter 70, of an act passed March 25th, 1881, entitled "An Act to amend the charter of the town of Somerville, and to change the time of holding elections in said town," be so amended as to read as follows: An election for Mayor and Aldermen, and for Recorder and Town Constable of the town of Somerville, Tennessee, shall be held by the Sheriff of said Fayette County, at the Court-house in said town, on the second Wednesday in May, 1888, and every two (2) years thereafter on the same day of the year. The vote shall be by ballot, and all persons owning real estate within said corporation, all per- Elections biennially.

sons living therein, and who have been residents thereof for six months previous to said election, and who are entitled to vote for members of the General Assembly, shall be entitled to vote in said election; and in all cases of tie in the election of said officers, the election shall be referred back to the voters in the town and held as before in the next ten days succeeding, polls to be open at 10 A. M. and close at 4 P. M.; and no person shall be eligible to any of said offices who is not at the time of his election an actual resident of said town.

SEC. 2. *Be it further enacted*, That the present Board of Mayor and Aldermen and Recorder and Town Constable of said town shall hold their said offices until said second Wednesday in May, 1888, and that the term of office for the officers thereafter elected shall be two years, and until their successors shall be elected and qualified.

Power to commit to County jail or work-house to work out fines.

SEC. 3. *Be it further enacted*, That the said Board of Mayor and Aldermen, or the said Recorder, shall have the power to commit to the county jail or work-house any person or persons who may fail or refuse to pay any fine or costs imposed on him or her for the violation of any of the laws or ordinances of said town until such fine or costs have been fully paid; every person so committed shall be required to work for said town at such labor and under such restrictions as his or her health and strength will permit, within or without said place of confinement, not exceeding ten (10) hours per day, and for such work the person so committed shall receive whatever compensation the board may fix by ordinance; *Provided*, No person shall be committed or compelled to work longer than three months for any one offense.

In cases of appeal.

SEC. 4. *Be it further enacted*, That in the event an appeal is taken to the Circuit Court of Fayette County from any fine or costs imposed by the Recorder for the violation of any of the ordinances of said town, the person so appealing shall give bond and security in double the amount of said fine and all costs imposed, and to abide by and perform the judgment of the court on appeal, but in no case shall an appeal be taken for said fine and costs under the pauper's oath.

Police authority.

SEC. 5. *Be it further enacted*, That the police authority of said town shall extend to a distance of one mile from the lawful corporate limits thereof, for the

suppression of all disorderly acts or practices forbidden by the general laws of the State and of said corporation.

SEC. 6. *Be it further enacted*, That the Recorder of said town of Somerville shall have exclusive original jurisdiction of all offenses arising from a breach or violation of the laws and ordinances of said town; that the said Recorder is hereby vested with all the powers of a Justice of the Peace of Fayette County, but his jurisdiction shall not extend beyond the limits of said corporation as such Justice of the Peace; that in the event of the absence or incompetency of said Recorder, the Mayor of said town shall exercise the functions and duties of said office, and hear and determine all case or cases which may arise as aforesaid; that in the absence of both Recorder and Mayor, any Justice of the Peace for Civil District No. 1 of Fayette County, Tennessee, may try and decide all cases which might properly come before the Town Recorder.

SEC. 7. *Be it further enacted*, That all acts or parts of acts contrary to or inconsistent with the provisions of this Act, or within the province thereof, are hereby repealed.

SEC. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 114.

AN ACT to authorize the city of Knoxville to issue bonds to establish a system of sewerage.

Authority to issue bonds for purpose of building sewers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That from and after the passage of this Act, it shall be lawful for the Board of Mayor and Aldermen of the city of Knoxville to issue coupon bonds in the manner and under the restrictions hereinafter provided, not to exceed the sum of seventy-five thousand dollars; Provided, Said bonds or their proceeds shall be used exclusively for the purpose of constructing a system of sewerage in said city, in such manner and places as may be determined upon by the corporate authorities of said city, and in accordance with its charter provisions for the making of all public improvements therein.*

Denomination, interest, etc.

SEC. 2. *Be it further enacted, That all bonds issued under this Act shall be of such denominations, bear such rate of interest not exceeding six per cent. per annum, and be due in such time, not less than five nor more than thirty years from date, and be payable at such times and places as the corporate authorities may determine; Provided, however, That all bonds shall bear the same interest.*

Not to be sold for less than par.

SEC. 3. *Be it further enacted, That the bonds provided for by this Act shall in no case be sold for less than par, and the coupons attached shall, at maturity, be receivable for all taxes and dues to the corporation, except the "Sinking Fund Tax" provided for by the following section, and the "School Tax."*

Sinking fund.

SEC. 4. *Be it further enacted, That before any bonds shall be issued hereunder, the corporation shall provide, by ordinance, for a Sinking Fund wherewith to retire the bonds by levying a special tax, same to be designated the "Sinking Fund Tax," the tax to run with the bonds and to be collected annually, and used exclusively for the purpose levied, and to be sufficient with its accumulations as near as may be estimated, to meet or retire the principal indebtedness by its maturity.*

Sinking fund Commissioners.

SEC. 5. *Be it further enacted, That said corporation, before issuing any bonds under this Act, shall appoint*

or select by ballot three persons, citizens, who shall be known as "Sinking Fund Commissioners," who shall hold office for three years, until their successors shall be elected and qualified, and to be so elected that one of said commissioners shall be elected for one year, one for two years, and one for three years, and every year thereafter one shall be elected to serve three years.

SEC. 6. *Be it further enacted*, That said commissioners shall take an oath before any person authorized to administer oaths in judicial proceedings, faithfully to discharge their duties, and shall give bond in such sum and otherwise qualify themselves and receive such compensation as the ordinance of the corporation may prescribe and provide. Oath and bond.

SEC. 7. *Be it further enacted*, That said commissioners shall receive from the collector of taxes all sinking fund taxes, and shall invest the same from time to time in the bonds of the corporation, and make settlements of their accounts in such manner and with such persons as the corporation may by ordinance direct; *Provided*, however, That whenever such bond of the city is purchased or invested in by said commissioners, they shall cancel the same in the presence of the Mayor and Aldermen, or City Council, in such manner as may be determined by ordinance. Sinking fund taxes to be invested in bonds of corporation.

SEC. 8. *Be it further enacted*, That the said bonds shall not be issued or used unless so ordered by a vote of a majority of all the qualified voters of the city of Knoxville, at an election to be held by order of the Board of Mayor and Aldermen, at any time, and as many times as the Mayor and Aldermen may deem necessary. Election to be held.

SEC. 9. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 115.

**AN ACT to amend an act entitled "An Act to incorporate the town of Maynardsville, and for other purposes."**

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Section 15 of an act passed February 17th, 1870, entitled "An Act to incorporate the town of Maynardsville, and for other purposes," be, and the same is hereby, amended by striking out the words, "the town of Union," in the fourth line of said section, and inserting the words, "Bluff City."**

**Sec. 2. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.**

Passed March 14th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 116.

**AN ACT to establish the line between Cheatham and Montgomery, and Montgomery and Dickson Counties.**

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the County Surveyors of the counties of Cheatham, Montgomery, and Dickson conjointly to survey the**

boundary line between the counties aforesaid, south of Cumberland River.

**Sec. 2.** *Be it further enacted*, That the aforesaid surveyors shall meet at a point on the south bank of Cumberland River near the mouth of Barton's Creek, where the line between Montgomery and Cheatham counties strikes the said river, and run the line between said counties to the intersection of Dickson County, then run the line between Dickson and Montgomery Counties to the southwest corner of the Sixteenth Civil District of Montgomery County, and plainly mark the same.

**Sec. 3.** *Be it further enacted*, That each of said surveyors shall jointly make a map of the line so surveyed, and shall deposit a copy of said map with the Clerk of the County Court of his county by the first Monday in October, 1887, and said Clerk shall file same among the papers of his office.

**Sec. 4.** *Be it further enacted*, That said surveyors shall each be paid for said services by the respective counties aforesaid.

**Sec. 5.** *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

14—Acts.

## CHAPTER 117.

### AN ACT for the relief W. E. Ward.

WHEREAS, By an act of the General Assembly of the State of Tennessee, passed February 3d, 1869, W. E. Ward was granted a charter for "Ward's Seminary for Young Ladies," in Nashville, Tennessee, and by the third section of said act the ground and property mentioned therein were exempted from taxation while the same should be employed for educational purposes; and,

WHEREAS, Said charter was accepted by W. E. Ward, and the school has been working under it in good faith for eighteen years, and the property employed entirely for educational purposes; and,

WHEREAS, Said charter, on account of informality, has been held to be invalid by the court, without any fault on the part of said Ward or of the school; and,

WHEREAS, It is just and right that the State of Tennessee should keep her faith to the citizen as well as the citizen to the State; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all taxes of every kind and description whatsoever, heretofore charged against, or assessed, or levied upon or against the property of W. E. Ward, situate on Spruce and McLemore Streets, in Nashville, Tennessee, and used and employed for educational purposes, are hereby released and relinquished; *Provided,* The provisions of this Act shall in nowise be construed as a release of the lien upon the recoveries against said W. E. Ward in the causes pending against him by the State and city of Nashville in favor of the attorneys for said State and city for reasonable compensation for legal services rendered in said causes; and, *Provided further,* That the provisions of this Act shall not be construed as a release of any taxes due the city of Nashville and the county of Davidson until consented to by the Mayor and City Council of said city and the County Court.

SEC. 2. *Be it further enacted*, That this Act take effect and be in force from and after its passage, the public welfare requiring it.

Passed March 16th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 118.

AN ACT to amend the charter of the town of Milan.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act incorporating the town of Milan, and the amendments thereto, be, and the same is hereby, amended, as follows:

The Mayor and Aldermen of said town shall have power, by ordinance, within the town—

First—To levy and collect taxes upon all property and privileges taxable by law for State purposes.

Second—To appropriate money and provide for the payment of the debts and expenses of the town.

Third—To make regulations to secure the general health of the inhabitants, prevent and remove nuisances.

Fourth—To open, alter, abolish, widen, extend, establish, grade, pave, and otherwise improve, clean, keep in repair streets, alleys, and sidewalks, or have the same done, and to establish and keep in repair bridges, culverts, sewers, drains, and gutters.

Fifth—To provide for the inclosing, improving, and regulating all public grounds belonging to the town, either in or out of the corporate limits, and to pro-

vide for the erection and repairing of all buildings necessary for the use of the town.

Sixth—To license, tax, and regulate everything licensed, taxed, and regulated by the State or county.

Seventh—To provide for the arrest, taking bond for appearance, and confinement until trial, of all persons violating any ordinance of the town.

Eighth—To impose fines, forfeitures, penalties, and terms of imprisonment for breach of any ordinance of the town, but no penalty shall exceed \$50, and no term exceed sixty days, for one offense.

Ninth—To erect and organize a work-house in or near said town, and any person who shall fail or refuse to pay any fine or costs imposed on him by any ordinance of said town, shall be committed to the work-house until such fine or costs are paid.

Tenth—To pass all ordinances necessary and proper for the health and safety of the citizens, for the preservation and protection of property, and such other ordinances as may be necessary and proper, and not inconsistent with the laws of the State.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 119.

**AN ACT to change the line between the counties of Gibson and Madison so as to include the lands of J. M. and R. H. Simpson, in Madison County.**

**SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,*** That the county line between the counties of Gibson and Madison be changed as follows: Beginning on R. H. Simpson's west boundary line on a Spanish oak, marked as county line, and running north 121 poles to R. H. Simpson's northwest corner; thence east with Coles', Barker's, and Umpstead's south boundary line to J. M. Simpson's northeast corner; thence south with Umpstead's line to said Umpstead's southwest corner; thence east 56½ poles; thence south to the county line, so as to include all the lands of J. M. and R. H. Simpson's land in Madison County. And the lands of J. G. Fulghum, now in Madison County, shall be, and the same are, included in the limits of Gibson County, and the line of said counties is so changed.

**Sec. 2. *Be it further enacted,*** That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 120.

AN ACT to extend the corporate limits of the city of Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate line of the city of Nashville be so extended to the north of Jefferson Street to Madison Street, and to the west of McLemore Street, as to include in the corporate limits of the city of Nashville, lot number one hundred and forty-two (142) in J. L. McGavock's plan, as registered in Book 10, page 608, Register's office, Davidson County, said lot fronting one hundred feet on Jefferson Street, one hundred feet on Madison Street, and one hundred and seventy-five feet on McLemore Street.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16th, 1887.

Z. W. EWING.  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 121.

**AN ACT** to give consent to the purchase by the United States of such lands as may be required for sites for lock and dam, etc., at or near the lower island at Nashville, and to grant cession of the jurisdiction over said lands.

WHEREAS, The Federal Congress has made appropriations for improving the Cumberland River by means of locks and dams, "commencing with the lower island at Nashville;" and,

WHEREAS, Certain lands are needed for the sites of said lock and dam, and keeper's dwelling, etc.; and,

WHEREAS, The United States have under consideration the selection of said sites, and the purchase of the same, by voluntary agreement or by condemnation, consisting of five (5) acres, more or less, in the immediate vicinity of said "lower island;" therefore,

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the consent of the Legislature of the State of Tennessee be, and is hereby, given to the purchase by the United States of any lands so needed for said sites.

**Sec. 2.** *Be it further enacted,* That upon the fact of the purchase or purchases being established by the proper registration in the county of Davidson, of the deeds to said lands acquired by the United States for the purpose aforesaid, then the jurisdiction of the therein described premises be, and the same is hereby, ceded and granted by the State of Tennessee to the United States.

**Sec. 3.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 122.

**AN ACT** to enable the town of Union City, Tennessee, to issue bonds for the purpose of building a Court-house and jail in said town.

**Authority to issue bonds.**

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the Mayor and Aldermen of the town of Union City, Tennessee, be, and they are hereby, authorized and empowered in their corporate capacity to issue interest-bearing bonds of said town, signed by the Mayor and countersigned by the Recorder of said town, to an amount not to exceed fifteen thousand dollars, the proceeds of which shall be used exclusively to build a Court-house and jail in said town of Union City; Provided, however, That said bonds shall not be issued until an election is held in said town to determine whether the legal voters of said town favor the issuance of said bonds.*

**Election to be held.**

**SEC. 2.** *Be it further enacted, That the Mayor and Aldermen of said town shall, by ordinance, appoint some suitable time at which to hold said election, and shall appoint some suitable person to open and hold the same, and that said election shall be held under such regulations and restrictions as the said Mayor and Aldermen may by ordinance establish.*

**Qualification of voters.**

**SEC. 3.** *Be it further enacted, That all persons living within the limits of said town for thirty days preceding the day of said election, and being bona fide citizens of said town, and all persons, citizens of the county of Obion, owning real estate within the corporate limits of said town of Union City, and being qualified voters of the county, shall be entitled to vote at said election.*

**SEC. 4.** *Be it further enacted, That if the number of votes cast at said election in favor of the issuance of said bonds be equal to a majority of all the votes cast at the preceding election for Mayor of said town, then the said bonds may be issued.*

**Denomination, etc.**

**SEC. 5.** *Be it further enacted, That the bonds herein provided for may be executed of denominations of from one hundred to one thousand dollars, at the discretion of said Mayor and Aldermen, and shall mature at times from five to twenty years, as may be*

fixed by ordinance, and shall bear interest at such rate as said Mayor and Aldermen may adopt; *Provided*, It shall not exceed six per cent. per annum.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 123.

AN ACT to create a Board of Public Works for the city of Chattanooga, for the purpose of improving the streets and providing necessary sewerage in said city, and to enable said Board of Public Works to carry out the provisions of this Act to authorize the Mayor and Aldermen to issue five hundred thousand dollars in bonds for said purpose, and to provide for a sinking fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and Aldermen of the city of Chattanooga be, and are hereby, vested with full power to issue bonds of said city, to be known as improvement bonds, in an amount not to exceed five hundred thousand dollars, to be issued and used for the construction and improvement of the streets and sewerage of said city; *Provided*, That the Mayor of the city of Chattanooga shall cause an election to be held to decide the question of the issuance of bonds. Those voting for the issuance of bonds shall have printed or written on their ballots the words, "For the issuance of five hundred thousand dollars improvement bonds," and those opposed to the issuance of said bonds shall have printed or written on

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Not to be nego-  
tiated for less  
than par.

their ballots, "Against the issuance of five hundred thousand dollars improvement bonds." If, at an election held under the provisions of this Act, three-fourths or more of all the votes cast in favor of the issuance of said improvement bonds, then, and in that case, the said Mayor and Aldermen shall issue the said five hundred thousand dollars improvement bonds; *Provided further*, That said bonds shall not be negotiated or hypothecated at less valuation than one hundred cents to the dollar, and that said bonds shall not bear greater rate of interest than six per centum per annum, payable semi-annually. Said improvement bonds shall run twenty years, being due and payable in 1907, and shall be of the denominations of \$500 and \$1,000 each, and shall have printed on the back of said bonds this Act, together with the ordinance of the Mayor and Aldermen of Chattanooga creating and defining the duties of the Board of Public Works; *Provided further*, That not more than two hundred thousand dollars of said bonds shall be sold, issued, or hypothecated, or the proceeds thereof expended, during the year 1887, and one hundred thousand dollars each; and each bond shall bear a coupon for each semi-annual installment of interest due on said bond, and all of said bonds and coupons shall be signed by the Mayor with his own proper signature, and shall be sealed with the seal of the corporation, and attested by the signature of the City Auditor. Each bond and coupon shall be numbered *seriatim*, and the first two hundred bonds shall be of the denomination of five hundred dollars each, and the next one hundred shall be of the denomination of one thousand dollars each, and the remaining bonds authorized by this section shall be of the denomination of five hundred dollars each, numbered *seriatim*, beginning with number 301. And all of said bonds shall be registered in a well-bound book to be kept for that purpose; *Provided*, That before said bonds shall issue, the question shall be submitted to a vote of the qualified voters of said city, and unless the same be voted by three-fourths of the voters voting in the election, the said bonds shall not issue. For the purpose of determining said fact, the Mayor and Aldermen aforesaid shall call a special election on giving twenty days' notice.

**Denomination.**

Board of Public  
Works.

Sec. 2. *Be it further enacted*, That there shall be a Board of Public Works to carry out the provisions

of this Act, consisting of five citizens, freeholders of said city, who shall be elected at a special election to be ordered by the Mayor and Aldermen as soon as possible after the passage of this Act, and before it is submitted to a vote of the people for ratification; one to serve one year from January 1st, 1887, and one for two years, one for three years, one for four years, and one for five years from the same date; and thereafter at the regular municipal election the second Tuesday of October of each year, one shall be elected to serve five years from the first day of January succeeding. Whenever a vacancy or vacancies occur in said Board of Public Works, a person or persons shall be elected by the Mayor and Aldermen to serve until the next regular municipal election, when a person or persons shall be elected to fill the unexpired term or terms; *Provided*, That each of said members shall enter into bond in the sum of \$25,000, conditioned to faithfully discharge the duties of said office; *Provided further*, That no two of said board shall be citizens or residents of the same ward.

Vacancy, how filled.

Bond.

SEC. 3. *Be it further enacted*, That said Board of Public Works shall be authorized to build sewers and provide the city of Chattanooga the necessary sewerage from time to time as the public welfare and health may require, from the proceeds of said improvement bonds.

Authorized to build sewers.

SEC. 4. *Be it further enacted*, That said Board of Public Works shall be authorized under this Act, upon the petition of the owners of two-thirds of the frontage in feet upon any street for two or more consecutive blocks, asking that permanent pavement be put down on said streets, to certify the same to the Board of Mayor and Aldermen, who may, upon the recommendation of the said Board of Public Works, order said improvement by ordinance, to be made in a good and substantial manner by said Board of Public Works.

Authorized to pave streets.

SEC. 5. *Be it further enacted*, That it shall be the duty of the Board of Public Works to pave said streets as provided by ordinances, certifying the cost of same to the Board of Mayor and Alderman. The cost of such paving and improvement shall be divided as follows: In streets occupied or to be occupied by street railways or other railway tracks, the cost of paving their tracks and for one foot on each side of their tracks or across their rights of way

Cost of paving, how divided.

over streets, shall be a charge against the said company or corporation so using or occupying said streets or portions thereof, the remainder or balance of the cost of paving of said streets or parts of streets borne equally by the abutting property, and the general fund from the bonds, one-fourth of said costs being made a charge against or upon the property on either side of the streets so improved, divided according to the frontage in feet; that on streets not occupied by street railway or other railway tracks, then the costs shall be equally divided between the property owners, and the fund from improvement bonds, one-half to be paid from the proceeds of the improvement bonds, and one-fourth of the whole cost to be made a charge against, and a lien upon, the abutting property, according to feet frontage on each side; *Provided*, That no owner of abutting property shall be assessed to pay for improving his said property without his consent thereto in writing.

*Failure to pay, how collected.* SEC. 6. *Be it further enacted*, That in case of the failure of any person or persons owning property on any street in the said city of Chattanooga, improved under the provisions of this Act, who shall fail or refuse to pay to the Mayor and Aldermen of said city their proportion of the cost of said improvement as herein provided for the period of sixty days after the completion of such improvement, then, and in that case, the said Mayor and Aldermen shall proceed to collect such debt; *Provided*, The charge against the said property, lot or lots abutting such improvement shall not exceed one-tenth the value of such abutting property.

*Sinking Fund Commissioners.* SEC. 7. *Be it further enacted*, That there shall be a Board of Sinking Fund Commissioners elected by the Mayor and Aldermen of the City of Chattanooga, as provided by the act of the General Assembly of the State of Tennessee, by act of March 20th, 1883; and that the said Mayor and Aldermen shall each year levy a tax to pay the interest on said improvement bonds as the same shall become due; also provide the necessary sinking fund to enable said improvement bonds to be paid or redeemed on or before maturity.

*Who may vote.* SEC. 8. *Be it further enacted*, That at the election in this Act provided to be held upon the question of the issuance of bonds and the election of a Board of Public Works, all persons shall be entitled to vote who

are legally authorized to vote in said city for members of the General Assembly, and at the State and county elections, and also those persons who are owners of a freehold in said city, whether resident or not, may vote in the ward where their freehold is situated and not elsewhere, and said voters shall not be required to have registered before voting.

SEC. 9. *Be it further enacted*, That the Board of Public Works created in the foregoing sections shall have entire supervision and control over all building and improvements of streets and sewers, and shall control the expenditure of all funds for such purposes arising from taxation or otherwise.

SEC. 10. *Be it further enacted*, That one of the Board of Public Works provided for in the foregoing provisions of this Act shall be elected by and from each ward by the qualified voters therof.

SEC. 11. *Be it further enacted*, That this Act take effect and be in force from and after the date of its passage, the public welfare requiring it.

Passed March 16th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 124.

AN ACT to authorize the County Court of Rutherford County to issue bonds to build a jail.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Court of Rutherford County, a majority of the Justices voting therefor, are hereby authorized to issue the bonds of the

county, payable at such times and places, and in such amounts as may seem proper, at a rate of interest not to exceed six (6) per cent. per annum, the aggregate amount of said bonds not to exceed twenty thousand dollars; the proceeds of said bonds to be applied to the purpose of erecting a jail, said bonds, in no event, to be sold at less than par.

To be signed by  
Chairman and  
Clerk.

SEC. 2. *Be it further enacted*, That said bonds, before issued, shall be signed by the Chairman of the County Court, and countersigned by the County Court Clerk, with his official seal of office affixed thereto.

Coupons.

SEC. 3. *Be it further enacted*, That each bond shall have attached coupons, showing the amount of each annual installment and interest on said bond, and when the same shall fall due; each coupon shall be signed in the same manner as the bonds, without the official seal of the court. The coupons, when due, shall be receivable for taxes due the county, levied under the provisions of this Act, and when so received or paid off by the revenue collector of the county, shall be by him canceled by perforation, and by stamping on the face of the same the date of said payment, to be held by him as his vouchers on his settlement.

Record to be  
kept.

SEC. 4. *Be it further enacted*, That the name of the party to whom each bond is issued, with the numbers, dates, and amounts, shall be entered by the Clerk of the County Court, as the same is issued, in a well-bound book, to be kept by him; and the revenue collector, as he pays and takes up the coupons, shall enter the date of payment and amount of coupons under its corresponding bond in said book.

Special tax.

SEC. 5. *Be it further enacted*, That in order to meet the annual payments as they fall due, the County Court, at the time it levies taxes for other purposes in each year, shall levy a special tax on all taxable property and privileges in the county, sufficient to pay each installment of the principal debt and interest, to be collected by the revenue collector as other taxes, and the same, when collected, shall be used for the payment of said installment and interest, and none other.

Compensation.

SEC. 6. *Be it further enacted*, That the Chairman and County Court Clerk shall be allowed such compensation for their services under this Act as the County Court, at its quarterly term, shall allow.

**Sec. 7. Be it further enacted,** That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 125.

**AN ACT** to amend the charter of the city of Jackson, Tennessee and all the acts heretofore passed amendatory thereof, so as to empower said city to issue coupon bonds in an amount not to exceed one hundred thousand dollars in excess of the present bonded indebtedness of the city.

**SECTION 1. Be it enacted by the General Assembly of** Bonds, purpose of **the State of Tennessee,** That the charter of the city of Jackson, and all acts amendatory thereof, be, and the same are hereby, so amended that the City Council of said city shall be vested with power and authority to issue one hundred thousand dollars of coupon bonds of said city, as follows: To issue eleven thousand dollars of the coupon bonds of said city to fund the past due indebtedness of said city; twenty-three thousand dollars of said "coupon bonds" to erect a stand-pipe for the water-works system of said city; forty-two thousand dollars of said coupon bonds for the construction of a system of sewerage for said city, and twenty-four thousand dollars for paving or graveling the streets of said city.

**Sec. 2. Be it further enacted,** That said City Council Time limited. shall be limited to two years from the passage of this Act in which to issue said bonds, and from and after

said period of two years, said City Council shall not have power to issue said bonds.

**Election.** SEC. 3. *Be it further enacted*, That before said City Council shall have power to issue said bonds contemplated by this Act, they shall first order an election of the voters of said city, and if three-fourths of the persons voting at such election are in favor of any of these proposed improvements, then the said City Council shall have said work constructed, and for this purpose shall issue bonds contemplated by this Act, to provide for the payment of said works. Said bonds shall not be sold for less than par.

**Denomination.** SEC. 4. *Be it further enacted*, That said bonds shall be in denominations of \$100, \$500, and \$1,000, with coupons attached, and shall not run for less than ten years nor more than thirty years, and shall not exceed one hundred thousand dollars.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17th 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 126.

**AN ACT** to amend an act passed March 15th, 1883, entitled "A Bill to settle the amount of the public debt of the State; fix the rate of interest thereon; provide for the funding thereof, and the compensation of the officers of the State therefor, so as to authorize and direct the Funding Board to fund coupons which have been detached from the State bonds, and not heretofore funded."

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That an act passed March 15th, 1883, entitled "A Bill to settle the amount of the public debt of the State; fix the rate of interest thereon; provide for the funding thereof, and the compensation of the officers of the State therefor," be, and it is hereby, amended, so as to include within the provisions of said act, all coupons of State bonds which have been detached from said bonds mentioned in sections one (1) and two (2) of said act, and which shall be presented to said funding officers separate from the bonds to which they were originally attached; *Provided*, Said coupons shall be funded upon the same terms as the bonds from which they were detached were authorized to be funded under the Funding Act of 1883.

**SEC. 2.** *Be it further enacted*, That when said coupons shall be presented to the Comptroller, in sums not less than one hundred dollars (\$100), the same shall be examined, audited, and funded, by the officers designated for that purpose in said act, and bonds issued therefor, as provided in said act, for the funding of the original bonds.

**SEC. 3.** *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 127.

### AN ACT to establish the line between the counties of Anderson and Roane.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the counties of Anderson and Roane be, and they are hereby, authorized to have established the line between said counties, as hereinafter provided, to-wit: That each of said counties, through their County Courts, at the July term, 1887, appoint three commissioners, including the county surveyors of said counties, which committee shall select some one, not a citizen of either of said counties, but who is a practical surveyor, and said seven commissioners shall meet on a day set for that purpose, and run and establish said line, or so much thereof as is in dispute, and mark the same, make a plat and a report thereof, and return the report and plat to each of said County Quarterly Courts next after said survey.

SEC. 2. *Be it further enacted,* That in making said survey said commissioners shall make the survey, as follows: Beginning one-fourth of a mile above the gap of the Indian Fork of Poplar Creek, thence south forty-five degrees east to Wallen's Ridge, one-fourth of a mile above the gap of the Indian Fork of Poplar Creek; thence a direct line to the double springs on the east fork of Poplar Creek; thence to Clinch River opposite to the mouth of Hickory Creek.

SEC. 3. *Be further enacted,* That said commissioners shall be good and lawful men, and shall be qualified by some person authorized to administer oaths in this State to faithfully and impartially perform their duties as such commissioners to the best of their skill and ability.

SEC. 4. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be, and the same are

hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 128.

**AN ACT** to change the line between the counties of Gibson and Crockett.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Gibson and Crockett be so changed as to include all lands of L. H. Harris in the county of Crockett, and so as to include all the lands of W. S. Moore and E. D. Harris in Gibson County.

**Sec. 2.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 129.

**AN ACT to fix the time of holding the Chancery Courts of Jackson County in the Fifth Chancery Division.**

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That hereafter the Chancery Courts of Jackson County shall be held on the first Mondays in February and September instead of as now provided by law, and all process shall be returnable accordingly.**

**SEC. 2. Be it further enacted, That this Act shall take effect from and after its passage, the public welfare requiring it.**

Passed March 17th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor*

## CHAPTER 130.

**AN ACT to amend the game law.**

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Section 2228 of the Code (Milliken & Vertrees' edition), be amended by adding to said section the following words: But trapping and netting, both turkeys and partridges, shall be lawful in Bedford County, except that partridges must not be trapped nor netted from the 1st of March to**

the 15th of September, nor turkeys from the 1st of May to the 15th of September.

SEC. 2. *Be it further enacted*, That any person violating this section (No. 2228), as now amended, shall be fined for each wild turkey killed, five dollars, and for each partridge, two dollars and fifty cents.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 131.

AN ACT to amend Chapter 74 of the Acts of 1885, entitled "An Act to provide for the erection of an Insane Hospital in West Tennessee, and for the completion of the same."

WHEREAS, The report of the Building Commissioners and Medical Superintendent of Construction provided for in Section 3 in Senate Joint Resolution, No. 3, in Acts of Extra Session 1885, page 113 and Section 2 of the Acts of 1885, Chapter 74, for the erection of an Insane Hospital in West Tennessee, shows that the said building has been begun, and the foundations of same are laid; and that the plans adopted by the commissioners and approved by the Governor will

require an additional appropriation from the Treasury of the State to properly carry out said plans, and complete said structure; and,

WHEREAS, It is highly desirable and necessary that said structure should be completed without delay, and as early as practicable, in order that the insane of the State now needing hospital accommodation and care, many of whom are occupying cells in county jails and poor-houses of the State, and are a continuing burden to the tax-payers of the State, with no hope of cure; and,

WHEREAS, The best interests of society, economy, and the dictates of humanity all admonish the State to make proper provision for the care of said unfortunates, the insane; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That for the completion of said hospital structure, and placing it in readiness and thorough equipment for the occupation of patients, the sum of one hundred and fifty thousand dollars be, and the same is hereby, appropriated for that purpose.

SEC. 2. *Be it further enacted,* That the Comptroller of the State shall issue warrants on the Treasurer of the State for such amounts of said appropriation as from time to time the Building Commissioners, now in charge of the erection of said structure or their successors, may make requisition for under a written certificate; *Provided, however,* That not more than one half of the amount herein appropriated shall be drawn out of the Treasury in any one year.

SEC. 3. *Be it further enacted,* That upon the completion of the structure, the said Building Commissioners shall notify the Governor of the State of the fact, who shall formally receive the same, and deliver it to the Board of Trustees of said Asylum, or such other trustees as the General Assembly may by law direct.

SEC. 4. *Be it further enacted,* That the general provisions of said act, Chapter 74 of Acts 1885, regarding the duties of said Building Commissioners, and under the terms of Senate Joint Resolution No 3, page 113, Acts Extra Session 1885, and of the superintending physician they may have chosen and employed, shall continue in force under this Act until the work in their charge shall have been completed and delivered to the Governor as above provided.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 132.

AN ACT to change the line between Knox and Sevier Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Knox and Sevier be so changed as to include all the farms now owned jointly between G. W. Underdown and George King, in Knox County.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 183.

**AN ACT** to abolish the corporation of the town of Huntingdon, Carroll County, Tennessee.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That an act passed January 1st, 1850, entitled "An Act to incorporate the town of Huntingdon, in the county of Carroll, State of Tennessee, and for other purposes;" and an act passed March 1st, 1883, entitled "An Act to amend an act entitled 'An Act to incorporate the town of Huntingdon, county of Carroll, and for other purposes,' passed January 1st, 1850, and to authorize the election of Mayor and Town Marshal of said town of Huntingdon by popular vote," and all other acts and parts of acts amending said acts of incorporation, be, and the same are hereby, repealed; this Act to take effect May 1st, 1887.*

Passed March 17th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 184.

**AN ACT** to extend the corporate limits of the town of Morristown, in Hamblen County, Tennessee.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the corporate limits of the town of Morristown, in Hamblen County, Tennessee,*

be, and the same are hereby, extended and enlarged, as follows: Beginning at a rock on the incorporation line and on the east edge of the road, near the Carriger Mill, thence north 5°, west 80 $\frac{1}{2}$  poles; thence north 45 $\frac{1}{2}$ °, west 28 poles, with the east edge of said road to a stake; thence north 50°, east 21 poles, with the east edge of the Marshall's Ferry road to a stake; thence north 7°, west 12 $\frac{1}{2}$  poles with said road to a stake on the south edge of Warren Street; thence east 26 $\frac{1}{2}$  poles with the south edge of this street to a stake; thence south 34°, east 22 $\frac{1}{2}$  poles to a stake on the Carriger line; thence south 66 $\frac{1}{2}$ °, west 27 $\frac{1}{2}$  poles to a stake at the corner of Mrs. Glover's lot; thence south 4 $\frac{1}{2}$ °, west 33 $\frac{1}{2}$  poles to the beginning.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 185.

AN ACT to incorporate the town of Sevierville, in the county of Sevier, and State of Tennessee, and provide for the election of officers, and prescribe their duties, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the town of Sevierville, in the county of Sevier, and the inhabitants thereof, be, and they are hereby, constituted a body politic and corporate, under and by the name of the Mayor and Aldermen of the town of Sevierville, may sue

and be sued, grant, receive, purchase, and hold real, mixed, and personal property, or dispose of the same for the benefit of said town.

**Boundaries.**

SEC. 2. *Be it further enacted*, That the corporate limits of said town of Sevierville shall be as follows, viz.: Beginning at the junction of the east and west fork of the Little Pigeon River, at the lower end of said town; then up the west fork of said river to a large elm tree near the bank of the river, on the lands of R. B. McMahan; then to the corner of the land of M. P. Thomas, and the Masonic Lodge road in the public road, so as to include the residence of Will McMahan; then with the line of M. P. Thomas to the line of Wm. Catlett, on the southeast corner of the Masonic Lodge lot; then to the southeast corner of the lot around by the Sevierville Lumber Company, on the bank of Middle Creek; then down Middle Creek to the east fork of Pigeon River, then down said river to the beginning.

**Corporate powers.**

SEC. 3. *Be it further enacted*, That the corporation aforesaid shall have full power and authority to enact and pass such laws and by-laws to prevent and remove nuisances; to provide for licensing and regulating auctions; taxing, regulating, or restraining theatrical or other public amusements and shows within the bounds of the corporation; for restraining or prohibiting gambling; to regulate the sale of spirituous liquors; establish night watches and patrols; to ascertain, when necessary, the boundary and location of streets, lanes, and alleys, with the consent of the proprietors of said lots adjoining such streets, lanes, and alleys; to have and keep in repair the streets; to pass all laws necessary for the same; to establish the necessary inspection within the town; to enact and regulate markets, drayage, and personal privileges; to provide for the establishment and regulation of a fire company; the sweeping of chimneys and safe condition of flues; to impose and appropriate fines, penalties, and forfeitures, for a breach of the by-laws, or ordinances; to appoint a Recorder; to levy and collect taxes for the purposes of carrying the necessary measures into operation for the benefit of said town, and to pass all laws and ordinances necessary and proper to carry the intent and meaning of this Act into effect; *Provided*, They are not incompatible with the Constitution and laws of this State.

**SEC. 4. Be it further enacted,** That the Sheriff of <sup>Election of</sup> ~~town officers.~~ Sevier County, after ten days' notice, shall hold an election in the town of Sevierville on the first Thursday in May, 1887, and on the same day of each and every succeeding year, for the purpose of electing five persons to serve as Aldermen, and one person for Mayor, and one other person for Town Constable, and one other person for County Magistrate for the corporation of said town of Sevierville for one year, except as to Magistrate, who shall serve for six years, commencing the first Thursday in May, 1887, the day of their election; and all persons living in the limits <sup>Qualification of voters.</sup> of said corporation who would be qualified to vote for members of the Legislature of this State, and persons owning a freehold within the bounds of said corporation, and otherwise entitled to vote, shall be entitled to vote in said election; and no person shall <sup>Who are eligible.</sup> be eligible to the office of Mayor, Alderman, Town Constable, or Magistrate unless he be a citizen or freeholder or householder in the town of Sevierville; and in case of death, removal, or resignation of any one of the officers of said corporation, the Mayor and Aldermen shall have power to fill such vacancies for the time unexpired, except as to Magistrate, who shall be elected by the qualified voters.

**SEC. 5. Be it further enacted,** That the several persons so qualified as aforesaid, having the highest number of votes at any election held, shall be declared elected, and the Sheriff holding the election as aforesaid shall, within three days thereafter, give to each of the five Aldermen, Mayor, Constable, and Magistrate a certificate of their election; and it shall be the duty of the persons so elected to meet at the Courthouse in the town of Sevierville on the next day after the election, and after having been qualified, the Mayor and Aldermen, three of whom shall constitute a quorum, shall proceed to elect a Recorder for said corporation for the same time for which the Mayor and Aldermen were elected, as aforesaid; and the person or persons appointed or elected by them shall serve until the first Thursday in May succeeding, or until their successors are elected and qualified.

**SEC. 6. Be it further enacted,** That the Mayor and <sup>oath.</sup> Aldermen of said town shall, before entering upon the duties of their office, take an oath before some Justice of the Peace of Sevier County to faithfully, uprightly, and honestly demean themselves as Mayor

and Aldermen of said corporation during their continuance in office.

Constable,  
bond of.

Sec. 7. *Be it further enacted*, That the Constable so elected shall continue in office twelve months from the time of his election; and before entering upon the duties of his office, give bond and sufficient security in the sum of five hundred dollars, to be approved by the County Court, for the faithful discharge of the duties of his office, and account for all the money or moneys by him collected and corporation taxes.

Judges of  
election.

Sec. 8. *Be it further enacted*, That the Sheriff of Sevier County shall, previous to holding an election for Mayor and Aldermen, Constable and Magistrate, for said corporation, as provided for in Section 4 of this Act, appoint three respectable citizens in the town of Sevierville, who shall act as judges of said election, one of whom shall act as clerk of said election.

Sec. 9. *Be it further enacted*, That if for any cause the Sheriff shall fail to hold an election for Mayor and Aldermen, Constable and Magistrate, on the first Thursday in May in each and every year, he may, at any time thereafter, open and hold an election for the aforesaid officers by first giving ten days' notice of said election for the balance of the unexpired time.

Directory to  
Constable and  
Recorder.

Sec. 10. *Be it further enacted*, That the Constable shall pay over monthly to the Recorder all sums of money collected by him for said corporation; and the Recorder shall render semi-annually, on the first Thursday in September and the first Thursday in March of each year, and as much oftener as the Board of Mayor and Aldermen shall require, a full and complete statement of the finances under his control, and the Recorder shall exhibit to the Board a complete statement of the finances of said corporation; and he shall also, within thirty days from the time of assessing the taxes of said corporation, deliver to the Town Constable a tax-list, which shall be the authority of the Constable for collecting the taxes therein specified, and the Recorder shall preserve a copy of said tax-list with the papers of the corporation. No money shall be paid out except by the Recorder, and in no case shall he do so except upon the order of the Mayor, made in pursuance of the direction of the Board of Aldermen. At the expiration of his term of office the Recorder shall deliver to his successor all books and papers belonging to the corporation, and

Recorder to  
disburse all  
money.

take his receipt for the same, and make a final settlement with the Board of Mayor and Aldermen.

SEC. 11. *Be it further enacted*, That it shall be the <sup>Duties of Mayor.</sup> duty of the Mayor to preside at all meetings of the council; to take care that all the ordinances and by-laws of the town are duly and properly enforced, respected, and observed within the town; to take an oath of office before he enters upon the duties of the same, and call special meetings of the Board of Mayor and Aldermen whenever he may deem it expedient, to make such suggestions and give instructions in reference to the actions of said Board, as in his judgment will be most conducive to the interest of the corporation; to give orders upon the Recorder of said Board, whenever said Board shall direct the same to be done, for the payment of any money that may be due from said corporation; to employ counsel in behalf of said corporation in any case in which said corporation may be interested, when, in his judgment, the same may be necessary.

SEC. 12. *Be it further enacted*, That said Board of <sup>Power to elect a Recorder.</sup> Mayor and Aldermen shall have power to elect a Recorder for said corporation, who shall not be a member of said Board of Mayor and Aldermen, and he shall hold his office for a term of one year, or until his successor is elected and qualified.

SEC. 13. *Be it further enacted*, That in addition to <sup>Jurisdiction of Recorder.</sup> the duties already imposed upon the Recorder by this Act, he shall be invested with the full power and authority to try all offenses for violation of the ordinances and by-laws of said corporation; and said Recorder of the town of Sevierville be, and is hereby invested, with concurrent jurisdiction with Justices of the Peace in all cases of violations of the criminal laws of the State or of the ordinances or by-laws of the Board of Mayor and Aldermen of the town of Sevierville, within the corporate limits of said town, and be entitled to the same fees now allowed to Justices of the Peace for like services.

SEC. 14. *Be it further enacted*, That the Board of Mayor and Aldermen of said corporation shall have full power and authority to erect a work-house and lock-up or calaboose, for the safe-keeping of persons, and when any person or persons convicted of any violation of any by-laws or ordinances of said corporation fails or refuses to pay or secure to be paid, the fines and costs accruing thereon, the Mayor and

Aldermen may provide by ordinance for their confinement in said lock-up or work-house or calaboose, and put them to work for the town either within an enclosure or on the streets and other public works under proper guard or secured by ball and chain, at such wages as the board may adopt by ordinance until said fine and costs are paid.

Powers of Board  
of Mayor and  
Aldermen.

SEC. 15. *Be it further enacted*, That the Mayor and Board of Aldermen shall have full power and authority to appoint a Marshal and as many policemen as, in their judgment, they may deem necessary at any time to preserve the peace and quiet of the town, or to enforce the ordinances of said corporation, to fix their term of office and regulate the salary of the same; said watchman or police so appointed shall have power to execute all processes that the town Marshal or Constable is authorized to execute; *Provided*, That said watchmen or police shall not have authority to collect municipal taxes. Said Board of Mayor and Aldermen to have power and authority to appoint other officers and agents for the corporation that they may deem necessary, and provide by ordinance for the compensation of said officers or agents.

Bond.

SEC. 16. *Be it further enacted*, That before entering upon their respective duties, the Recorder and Marshal so elected or appointed by the Board of Mayor and Aldermen shall each give bond, with sufficient security, to said Mayor and Aldermen, in the sum of five hundred dollars, conditional that they shall faithfully and honestly discharge their duties, and account for all money that may come into their hands by virtue of their office.

Authority to  
remove from  
office.

SEC. 17. *Be it further enacted*, That the Board of Mayor and Aldermen shall have full power and authority to dismiss and remove any officer or agent appointed or elected by them, including the office of Recorder or Marshal, for incompetency or any violation, neglect, or disregard of the duties imposed upon them by the laws and ordinances of said corporation; *Provided*, That two-thirds of the Board of Mayor and Aldermen concur in the dismissal or removal.

Authority to  
lay off and open  
streets, etc.

SEC. 18. *Be it further enacted*, That the Board of Mayor and Aldermen of the town of Sevierville shall have full power and authority to lay off and open new streets, lanes, and alleys in said town, and extend the old ones for the convenience of the inhabitants thereof in the manner and mode prescribed by Sec-

tions 1388, 1389, 1390, and 1391 of the Code of Tennessee, and may, by ordinance or otherwise, require owners of business houses to place good, substantial brick or stone pavements in front of their houses.

**Sec. 19.** *Be it further enacted,* That the Mayor and Aldermen of the town of Sevierville shall have power and authority by ordinances within the town to provide for the arrest and confinement until trial of all riotous and disorderly persons within the town by day or night, and to authorize the arrest and detention of all suspicious persons found violating any ordinance of the town or in violation of the Act passed by the Legislature March 22d, 1875, Chapter 105, Section 2.

**Sec. 20.** *Be it further enacted,* That no person elected to the office of Alderman shall be allowed any pay for his services as such Alderman. The Mayor and Recorder shall receive such salary as the Board of Aldermen may allow, not to be increased or diminished during their respective terms of office. The Marshal shall receive a stated salary per month, to be determined and ordered paid by the Board of Mayor and Aldermen. The fees of the Recorder, in addition to the fees allowed by law for the trial of offenses for the violation of the ordinances and by-laws of the corporation, and the fees allowed by law for the trial of State offenses shall be determined by ordinance passed by the Board of Mayor and Aldermen.

**Sec. 21.** *Be it further enacted,* That the Marshal elected or appointed by the Board of Mayor and Aldermen shall have charge of work-hands on the streets, keep their time, and see that they do good work.

**Sec. 22.** *Be it further enacted,* That all acts and parts of acts contrary to and inconsistent with the provisions of this Act be, and the same are hereby, repealed.

**Sec. 23.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,

*Governor.* 

## CHAPTER 136.

AN ACT to change the line between Sevier and Knox Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the line between Knox and Sevier Counties be so changed as to include the entire farms of W. P. Keener, J. G. Cannon, the heirs of Wm. Thomas deceased, and Rufus Kelly (small portions of which lie in Knox County), in Sevier County.*

SEC. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 18th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 137.

AN ACT to repeal the charter of Dover, in Stewart County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the charter of the town of Dover, in Stewart County, be, and the same is hereby, repealed.*

**SEC. 2. Be it further enacted,** That this Act take effect from and after April 20th, 1887, the public welfare requiring it.

Passed March 18th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 138.

**AN ACT** to extend the corporate limits of the town of Camden.

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee,** That the corporate limits of the town of Camden be extended as follows: Beginning in the north line of said corporation at the northeast corner of the Methodist Church-lot; then north with the old Paris road two hundred and thirty yards to the southeast corner of A. C. McRea's lot; then west with A. C. McRea's south line — yards to A. Arnold's north lot corner; then south with said Arnold's east line to F. C. Whitfield's north boundary line; then due east with said Whitfield's boundary to the former line of the Camden corporation.

**SEC. 2. Be it further enacted,** That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28d, 1887.

ROBT. L. TAYLOR,

*Governor.* Digitized by Google

## CHAPTER 139.

**AN ACT** to amend an act entitled "An Act to provide for the organization of corporations," passed March 19th, 1875, being Chapter 142 of the Acts of 1875, so as to provide for the organization of corporations to carry on the trade of merchants.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That an act passed March 19th, 1875, and approved March 23d, 1875, entitled "An Act to provide for the organization of corporations," the same being Chapter 142 of the Acts of the General Assembly of 1875, be, and the same is hereby, so amended, as to authorize and provide for the organization and chartering of corporations to carry on the trade of merchants.

**SEC. 2.** *Be it further enacted,* That the form of a charter for a corporation to carry on the trade of merchants, shall be as follows:

### STATE OF TENNESSEE—CHARTER OF INCORPORATION.

*Be it known,* That [here insert the names of five or more persons, not under twenty-one years of age, applying for the charter], are hereby constituted a body politic and corporate, by the name and style of [here insert name], for the purpose of carrying on the trade of merchants. The general powers of said corporations are as follows: [Here insert the general powers contained in section five (5) of said act above entitled, as found on pages 236, 237, and 238, of the said Acts of the General Assembly of 1875.]

**SEC. 3.** *Be it further enacted,* That the charters of corporations provided for in this Act shall be obtained in the manner pointed out in Section 26 of said act passed March 19th, 1875, and approved March 23d, 1875, entitled "An Act to provide for the organization of corporations," which said section is hereby made applicable to all corporations authorized by this Act.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 140.

AN ACT to authorize Knox County to fund her outstanding warrants issued for debt contracted in the building of her new Court-house, and to issue bonds in lieu of said warrants.

WHEREAS, A portion of the indebtedness of Knox County, contracted by building a new Court-house, fell due on the 15th of February, 1887; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in order to enable the county of Knox to meet her indebtedness, the Quarterly Court of said county may issue coupon bonds at a rate of interest not exceeding six per cent. semi-annually, these bonds to be in the sums or denominations of fifty dollars, one hundred dollars, five hundred dollars, and one thousand dollars, and to be due and payable fifteen years after their issuance, and redeemable at the option of the county, at such time or times as the Quarterly Court may direct, the time at which each bond is redeemable to be expressed on the face of the bond. They shall be signed by the County Chairman or Judge, and countersigned by the Clerk of the County Court.

SEC. 2. *Be it further enacted*, That none of these bonds shall be sold at less than par, and a record shall

be kept and spread upon the minutes of the Court showing the number and denomination of each bond issued, the name of the person to whom it was sold, and the price for which it was sold, and the money derived from the sale of said bonds shall be expended in paying off the unpaid indebtedness contracted in building the new Court-house for Knox County, and for no other purpose whatever, and each of the bonds as it is taken up shall be canceled by the County Chairman or Judge, and exhibited to the Quarterly Court at its next session, and disposed of as the Court may direct.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 19th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 141.

AN ACT to increase the jurisdiction of the County Court to enforce vendor's liens on real estate on all sums under fifty dollars, and to regulate the practice.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That jurisdiction is hereby conferred upon the County Courts of the several counties in this State, to enforce vendor's liens upon all sums under fifty dollars.

SEC. 2. *Be it further enacted*, That the rules of practice and pleading now in use in the Chancery Court on sums above fifty dollars shall be adopted.

**SEC. 3. Be it further enacted,** That said County Courts shall have the same power to issue writs of possession to put the purchaser in possession that the Chancery Court now has and shall be governed by the same rules.

**SEC. 4. Be it further enacted,** That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 19th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 142.

### AN ACT for the removal of Magistrates under certain circumstances.

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee,** That when any Justice of the Peace for this State shall have become permanently insane, or of such mental imbecility as not to be competent to perform the duties of the office, it shall be lawful for the County Court to order an inquest of lunacy to inquire into the condition of the mind of said Justice, and in the event said jury shall, by their verdict, find such Justice permanently insane, or of such mental imbecility as not to be competent to perform the duties of the office, then, and in that event, the County Court shall declare said office vacant, and same shall be filled by election as in other cases of vacancy.

**SEC. 2. Be it further enacted,** That the jury of inquest provided for in the foregoing section shall be held as in other cases of lunacy, and that the county pay the cost of the same.

SEC. 3: *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 19th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 143.

### AN ACT to amend the fish laws, and to protect fish in spawning time.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That it shall be unlawful to take or catch fish by means of any seine or net from the 15th of March to the 1st of June in all running streams, and after that time it shall not be lawful to catch or take the same with any seine or net, the meshes of which are less than one and a quarter inches square, or with traps, the slats or fingers of which are less than one inch apart. Provided, Nothing in this Act shall be construed to prevent persons from taking fish in any other manner now allowed by law.*

SEC. 2. *Be it further enacted, That it shall not be lawful to use any dynamite, gunpowder, or other material of like character, in any of the streams of this State, for the purpose of killing fish.*

SEC. 3. *Be it further enacted, That Section 2284 of the Revised Code be, and the same is not hereby, repealed, except as above provided, and that this Act take effect from and after its passage, the public welfare requiring it.*

SEC. 4. *Be it further enacted*, That for a violation of Section 2, the grand juries shall have inquisitorial powers, and a fine of not less than fifty dollars shall be imposed.

Passed March 19th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 144.

AN ACT to amend an act of the extraordinary session of 1885, passed June 11th, and approved June 12th, 1885, entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice and equity in the Circuit and Chancery and other inferior courts of this State, and to fix the time for holding the terms of said Chancery, Circuit, and other courts."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act of the extraordinary session of 1885, passed June 11th, 1885, and approved June 12th, 1885, entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice and equity in the Circuit and Chancery and other inferior courts in this State, and to fix the time for holding the terms of Chancery, Circuit, and other courts," be amended as to the Fourth Chancery Division of this State so as to read as follows:

Warren County—Second Mondays in May and November.

SEC. 2. *Be it further enacted*, That White County be detached from the Sixth Judicial Circuit and attached to the Fifth Circuit, and that Fentress County

be detached from the Fifth Judicial Circuit and attached to the Third Circuit, and that the Judge of the Fifth Judicial Circuit shall hold the Circuit Court of White County on the Third Mondays in January, May, and September, and the Circuit Court of Cumberland County on the first Mondays after the fourth Mondays in January, May, and September, and that the Judge of the Fourth Judicial Circuit shall hold the Circuit Courts of Fentress County on the third Mondays in March, July, and November.

SEC. 3. *Be it further enacted*, That all bonds shall be taken, and all process made returnable to the courts at the times and places fixed for holding the same in the foregoing provisions of this Act. All such bonds taken at or after the last terms of the two courts provided for in this Act, and all process issued after that time shall be made returnable to the first term of the courts to be held thereafter under the provisions of this Act, and the same shall be valid and binding in law.

SEC. 4. *Be it further enacted*, That all acts and parts of acts in conflict with the provisions of this Act be, and the same are hereby, repealed.

Passed March 19th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 145.

**AN ACT** to authorize the Brownsville Manufacturing Company to issue bonds.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the Brownsville Manufacturing Company, of Brownsville, Tennessee, be so amended as to authorize said manufacturing company to issue first mortgage bonds for the purpose of enabling said company to purchase machinery to be used by said manufacturing company, not to exceed seventy-five thousand dollars, bearing interest not to exceed six per cent., coupons running thirty (30) years, to be redeemed at the option of the company after five years.

**SEC. 2.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 19th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 146.

**AN ACT** to amend Chapter 118 of the Acts of 1885, and to provide for the organization of the Western Hospital for the Insane.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the thirty-two counties, Eastern Hospital District. *to-wit: Anderson, Blount, Bradley, Campbell, Car-* Digitized by Google

ter, Claiborne, Cocke, Grainger, Greene, Hamblen, Hamilton, Hancock, Hawkins, James, Jefferson, Johnson, Knox, Loudon, Marion, McMinn, Meigs, Monroe, Morgan, Polk, Rhea, Roane, Scott, Sevier, Sullivan, Unicoi, Union, and Washington; also, Franklin, Grundy, Sequatchie, Bledsoe, Van Buren, Cumberland, Fentress, Overton, Pickett, Putnam, and White, and any counties hereafter to be composed of the territory comprising said counties, shall be known as the Eastern Hospital for the Insane District; that the thirty-two counties, to-wit: Bedford, Cannon, Cheatham, Clay, Coffee, Davidson, DeKalb, Dickson, Giles, Hickman, Houston, Humphreys, Jackson, Lawrence, Lewis, Lincoln, Macon, Marshall, Maury, Montgomery, Moore, Perry, Robertson, Rutherford, Smith, Stewart, Sumner, Trousdale, Warren, Wayne, Williamson, and Wilson, and any counties hereafter to be composed of the territory comprising the said counties, shall be known as the Central Hospital for the Insane District; and that the twenty-one counties, to-wit: Benton, Carroll, Chester, Crockett, Decatur, Dyer, Fayette, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, McNairy, Madison, Obion, Shelby, Tipton, and Weakley, and any counties hereafter to be composed of the territory comprising the said counties, shall be known as the Western Hospital for the Insane District.

Central Hos-  
pital District.

Western Hos-  
pital District.

Insane persons  
to be trans-  
ferred to their  
proper districts.

SEC. 2. *Be it further enacted*, That insane persons residing in the counties of the last named district, who shall be adjudged proper subjects for the State or county charity under the inquest and proceedings provided in Section 2053 of Milliken & Vertrees' Code, shall be received into the Western Hospital for the Insane, near Bolivar, and all such patients sent from these counties to the Central Hospital for the Insane, near Nashville, and who may be therein at the date of the opening of the Western Hospital for the Insane, shall be transferred to the latter, and the cost of such transfer shall be paid by the counties from which they were sent, and the County Courts thereof are hereby required to provide funds for that purpose, when their Clerks may be notified by the officers of said hospital that the transfers may be made.

Quota of each. SEC. 3. *Be it further enacted*, That hereafter under the inquest now prescribed by law, patients supported

by the State shall be admitted into each of the Hospitals for the Insane, to the number of one for each eighteen hundred of the population of each county in their respective hospital districts, computed by the Federal census of 1880, and the number of such patients in the Central Hospital for the Insane shall not exceed three hundred and fifty, and the numbers in the Eastern and Western Hospitals for the Insane shall not exceed two hundred and thirty-five each.

Sec. 4. *Be it further enacted*, That in addition to ~~Trustees~~ the twelve Trustees of Hospitals for the Insane now provided by law and in commission, the Governor of the State shall nominate and by and with the advice and consent of the Senate shall appoint three additional trustees to reside in or near Bolivar in the county of Hardeman or from the counties comprising the district, one of whom shall serve until the first Monday in February, 1889; one until the first Monday in February, 1891; and one until the first Monday in February, 1893, and the successors of each of these trustees shall be appointed in like manner and as now provided by the Code to serve for a term of six years as do the other trustees, and these together with the two trustees now in commission from the counties in the Western Hospital for the Insane District shall be the Board of Trustees for the Western Hospital for the Insane. And the five trustees now in commission from the counties of the Central Hospital for the Insane District and the five now in commission from the counties of the Eastern Hospital for the Insane District and their duly appointed successors shall constitute the Boards of Trustees for the government and management of the hospitals in said districts under the Code and Statutes now applicable thereto.

Sec. 5. *Be it further enacted*, That Section 9, Chapter 118, of the Acts of 1885 be, and the same is hereby repealed.

Sec. 6. *Be it further enacted*, That the Western Hospital for the Insane near Bolivar is hereby constituted a corporation similar to the Tennessee Hospital for the Insane near Nashville, hereafter to be styled the Central Hospital for the Insane, and to the Eastern Hospital for the Insane near Knoxville, with the same rights, powers and functions, and the provisions of the Code (Milliken and Vertrees), Sections 2020 and 2048, inclusive, and Sections 5, 10, 11, and

Section of Act

repealed.

Western Hos-  
pital incor-  
porated.

12 of Chapter 118 of the Acts of 1885, pertaining to the organization and management of the said hospital are made applicable to the said Western Hospital for the Insane.

Sec. 7. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.

Adopted March 19th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 147.

AN ACT to amend an act entitled "A Bill to establish taxing districts in this State, and to provide the means of local government for the same," being Chapter 11. of the Acts of 1879, and to enlarge the powers of said taxing districts so as to authorize and enable them to build works, lay pipes, conductors, etc., in order to supply the district and its inhabitants with water.

Authorised to  
own and operate  
water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That taxing districts organized under the act aforesaid be, and they are hereby, authorized to construct, own, maintain, and operate a system of water-works for the purpose and sufficient to supply the district and its inhabitants with a bountiful supply of the best and most wholesome water practicable in the judgment of the legislative council of said district, with power to enlarge and extend the same from time to time, as the necessities of said district or its inhabitants may require.

Bonds.

Sec. 2. *Be it further enacted*, That in order to raise the means necessary to construct such water-works, said taxing districts are authorized and empowered

to issue coupon bonds to the amount of not more than one million two hundred thousand dollars, bearing interest, payable semi-annually, and maturing not less than ten, nor more than forty, years after the date thereof, the form of which bond shall be substantially as follows, viz.:

STATE OF TENNESSEE.

Form of bond.

TAXING DISTRICT OF \_\_\_\_\_ COUNTY.

No. —. WATER BOND. \$1,000.

The taxing district of \_\_\_\_\_ County, a municipal corporation organized and existing under the laws of the State of Tennessee, acknowledges itself indebted to —, or bearer, in the sum of one thousand dollars, which sum it promises, as hereinafter stated, to pay to bearer — years after the date hereof, at —, together with interest at the rate of — per cent. per annum, payable semi-annually at the place aforesaid, on presentation and surrender of the interest coupons hereto attached.

This bond is one of a series numbered from one to — consecutively, each for the sum of \$1,000, and amounting, in the aggregate, to the sum of —, issued under, and subject to, the provisions of an act of the Legislature of the State of Tennessee, Chapter — of the Acts of 1887, which Act is here referred to and made part and parcel of this bond. Payment of the principal and interest hereof is secured by a trust deed on the water-works, including land, casements, buildings, pumping machinery, conduits, mains, reservoirs, stand-pipes, water-towers, filterers, pipes, etc.; built and laid, or to be built and laid, under the provisions of said Act, on the revenue to be derived from said water-works, and on the franchise to maintain and operate the same in the event of a foreclosure sale under said trust deed.

In respect of said principal sum of one thousand dollars, and the coupons hereto attached, this bond does not create or carry any general liability of or against said taxing district, the holder hereof stipulating to look alone to said trust deed security for the payment thereof.

All of said bonds shall be subject to call at the end of ten years after the date thereof, but said bonds must be called in the inverse order of their numbers

that is to say, the bond of highest number shall be first called, and then consecutively downwards, according to number. Publication of the fact of such call shall be made for ten days in one Memphis, and one New York daily paper, and thereupon the interest on the bond or bonds so-called, shall cease.

May execute a trust deed.

SEC. 3. *Be it further enacted*, That in order to secure the payment of said bonds and interest, said district may execute a trust deed on the entire system of water-works, land, casements, buildings, pumping machinery, mains, conduits, reservoirs, stand-pipes, water-towers, filterers, pipes, etc., and the franchise to operate and maintain the same by the purchasers, in the event of foreclosure sale under such trust deed. Said trust deed to embrace all the entire system of works as aforesaid, the system and all parts thereof, and additions thereto, to be treated as a unit, and to fall under said trust deed, whether constructed or not at the date of its execution, and to embrace also all revenue to be derived from supplying the water to consumers. And in consideration of the water to be supplied by said works for public use and service, said taxing district shall contribute such proportion of the gross income to be derived from said works as the legislative council may deem equitable and just, the amount thereof to be fixed annually by said council.

Water-works property alone liable.

SEC. 4. *Be it further enacted*, That in respect of the principal and coupons, the bonds to be issued as aforesaid shall not create or carry any general liability against said district, but the holders of said bonds shall look solely to the security of said trust deed on said water-works system for the payment thereof. No tax shall ever be levied for the payment of said bonds and coupons, nor shall any property of the district, other than said water-works system, be subjected to the payment thereof.

Not to be negotiated for less than par.

SEC. 5. *Be it further enacted*, That said bonds shall not be negotiated at less than par, and any official of the district violating this provision shall be guilty of a felony, and upon conviction thereof shall be imprisoned for not more than two years. But said district may allow a brokerage commission for placing or negotiating said bonds of not more than one-half of one per cent.

Tax to pay interest.

SEC. 6. *Be it further enacted*, That in order to pay the interest on said water bonds during the construc-

tion of said works, a tax of thirty cents on the one hundred dollars of taxable property in said district, real, personal, and mixed, including stocks, merchants' capital, and every species of taxable property, is hereby levied for the years 1887 and 1888, to be collected in the same manner and at the same time that other taxes levied for said district are collected, all liens and remedies provided for the collection of other district taxes to be in force for the collection of the tax hereby levied. But none of this tax is to be collected until a contract is made for the construction or purchase of water-works as provided in this Act. If the whole amount of the tax here levied is not required to pay interest, as aforesaid, on said water bonds, then the surplus thereof may be used by the Fire and Police Commissioners for extending, enlarging, or improving the sewer system of said district, or for paving the streets of said district.

SEC. 7. *Be it further enacted*, That private property and the right of laying pipes and conductors through the same may be condemned, under the right of eminent domain, in accordance with the provisions of the Code (Vertrees and Milliken's edition, Sections 1549 to 1574), in order to obtain sites for the buildings, reservoirs, mains, conduits, water-towers, stand-pipes, filterers, etc., or in order to obtain any lands or easements necessary for the construction or operation of said system of water-works, as the same may be determined upon by said district; such right of condemnation being hereby conferred, whether the land lies within or without the limits of said district.

SEC. 8. *Be it further enacted*, That the source of water supply and the plan of water-works to be adopted shall be determined by the legislative council of said district, and shall be such as will, in the judgment of said council afford, at the least practicable expense, a bountiful supply of the best water obtainable by means which are deemed permanent as an engineering plan that will be capable of enlargement; and all powers necessary to accomplish this general result are hereby conferred on said district.

SEC. 9. *Be it further enacted*, That the proceeds of the bonds hereinbefore authorized to be issued shall, as fast as realized, be deposited in a bank, to be designated by said legislative council; the said bank shall be first required to give bond with satisfactory sureties, in a penalty to be fixed by said council, and

Right to condemn private property.

Source of water supply, plan, etc.

conditioned for the faithful discharge of its duties and obligations as the depository of said fund; that a special account of said fund shall be kept by said bank; that no part of the same shall be paid out except for the purpose of acquiring property and rights of way necessary to and for constructing said water-works, including the necessary buildings, machinery, reservoirs, stand-pipes, water-towers, mains, conduits, filterers, pipes, etc., and in order to insure the faithful appropriation of said fund to the purpose of constructing said water-works system, said bank is prohibited from paying out the same except upon the orders or checks of at least two of the Fire and Police Commissioners, which orders or checks shall be given or drawn only upon bills approved by the District Engineer, and by him certified to be properly payable out of said fund. But orders or checks drawn against said fund by the Fire and Police Commissioners shall be sufficient vouchers to said bank, and the bank shall not be liable for the misappropriation or misuse of said fund, or any part thereof, paid out by it on such orders or checks. A willful violation of the provisions of this section shall be a felony, and upon conviction shall subject the offender to imprisonment in the penitentiary for not more than two years; and shall also render such offender personally liable for the amount so misappropriated.

**Employes.**

SEC. 10. *Be it further enacted*, That for the purpose of operating and maintaining said water-works, said districts are authorized to employ such officers, engineers, clerks, agent, and employes as it may deem necessary, whose compensation shall be fixed by the legislative council, and paid out of the revenues to be derived from the works; and said works, both before and after foreclosure of said trust deed (should such foreclosure occur) shall be operated under the general supervising government and regulating power of said district.

**In the event of  
foreclosure.**

SEC. 11. *Be it further enacted*, That in the event of a foreclosure of said mortgage, the purchasers or purchasers, their associates and assigns, may organize themselves into a body corporate, under the provisions of the general law, Chapter 84 of the Acts of 1885; and it shall be and remain the duty of the purchasers, their associates and assigns, and of the corporation that may be organized as aforesaid, to supply said district and its inhabitants with water

from the source adopted by said district, said supply to be kept equal in volume and quality, so far as necessary, to the capacity of the system adopted and constructed by the district; and in such event the annual amount to be charged said district—for water supplied for public service—shall not exceed ten per cent. of the aggregate gross income to be derived from said works.

Sec. 12. *Be it further enacted*, That the police power <sup>Police power.</sup> of said district be, and the same is hereby, extended over the entire territory upon which said works or any part thereof may be located, as if the same was within the limits of said district.

Sec. 13. *Be it further enacted*, That for the purpose <sup>May purchase existing water-works.</sup> of carrying out the provisions of this Act said taxing district may, if it sees proper, purchase the properties of any existing water company or any part thereof, for the purpose of incorporating and using the same in the system of water-works that may be adopted and constructed by said district; such purchase, if made, to be paid for out of the proceeds of said water bonds, and in the manner hereinbefore provided.

Sec. 14. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 19th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

17—Acts.

## CHAPTER 148.

### AN ACT to create and regulate the office of County Judge for Knox County.

**County Judge.** SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be elected by the qualified voters of Knox County, a person to be styled the County Judge of Knox County, and who shall be the County Judge of said county, who shall be thirty years old, and shall hold his office for a term of four years from the date of his commission; said person to be a citizen of Knox County, and a person of good moral character.

**First election.** SEC. 2. *Be it further enacted,* That the first election for County Judge of Knox County, shall be held at the same places and at the same time, and by the same officers that other county elections are held, on the first Thursday in August, 1888, and under the same rules and regulations that are prescribed by law for other county elections, and subsequent elections (except vacancies, which shall be filled when they occur in the manner prescribed by law), on, the first Thursday in August every four years thereafter.

**Rights and powers of County Judge.** SEC. 3. *Be it further enacted,* That the County Judge of Knox County shall have and exercise all the rights, powers, and jurisdictions over civil cases that are conferred by existing laws upon the County Judges of this State, and shall comply with all the requirements of, and perform all the duties imposed by laws, creating and regulating the powers and duties of County Judges.

**Office of Chairman abolished.** SEC. 4. *Be it further enacted,* That all the powers and jurisdictions now vested in and belonging to the Chairmen of the County Courts of this State, be, and the same are hereby, conferred upon the County Judge of Knox County, that is hereafter to be elected by the qualified voters of Knox County, and the office of Chairman of Knox County Court is hereby abolished from and after the first Monday in September, 1888.

**Salary.** SEC. 5. *Be it further enacted,* That the County Judge of Knox County shall receive a salary of fifteen hundred dollars (\$1,500) per annum, to be paid quarterly

out of the county revenue collected for the years which the services are rendered.

Sec. 6. *Be it further enacted, That the County Court* <sup>County Court Clerk.</sup> *Clerk of said county shall be and continue the Clerk of the County Court to be held by the County Judge, and shall have all the powers, jurisdictions, and authority, now possessed by him.*

Sec. 7. *Be it further enacted, That the County Judge* <sup>Oath and bond.</sup> *of Knox County shall be commissioned in the same manner as other Judges of the State, and before entering upon the duties of said office he shall take the oath prescribed by law and taken by other Judges of this State, and shall also enter into bond in the sum of ten thousand dollars, conditioned faithfully to account for all moneys and county property that come into his hands as such County Judge.*

Passed March 19th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 149.

AN ACT conferring jurisdiction on the County Court to declare persons who have been declared lunatics or of unsound mind, of sound mind, and to restore to them the control of their property.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That when any person shall be declared a lunatic, or person of unsound mind, as now provided by law, and afterwards shall become restored in mind, such person, upon the written certificate of two respectable physicians that he or she is a person of sound mind, may make application by petition to* <sup>May make application to County Court.</sup>

the County Court, and the court shall order the Sheriff forthwith to summon a jury of twelve freeholders or householders, to ascertain, by inquisition, the condition of such person's mind and make return thereof to the court at that or the succeeding term.

SEC. 2. *Be it further enacted*, The writ issued to the Sheriff may be in the following form:

Form of writ.

STATE OF TENNESSEE, } To the Sheriff of ——  
— County. } County, greeting:

You are hereby commanded to inquire, by the oath of twelve freeholders or householders, summoned by yourself, whether ——, of ——, in the county of ——, is a lunatic or person of unsound mind, so that he has not capacity sufficient for the government of himself and his property. And you are further commanded that at certain days and places appointed by yourself, you diligently make application in the premises; and the same distinctly and plainly made return to the County Court of said county at its next session, together with the writ. Witness ——, Clerk of said court, at office —— the —— day of ——, 18—.

May be returnable to same term.

SEC. 3. *Be it further enacted*, The writ may be returnable to the same term of the court from which it issues, if the court so direct; and in such case the same proceedings shall be had as if the return were made to the next succeeding term.

Subpoena for witnesses.

SEC. 4. *Be it further enacted*, The Clerk of the County Court or any Justice of the Peace, upon application, may issue subpoena for witnesses to attend the inquisition, and such witnesses are subject to the penalties and entitled to the privileges and compensations of regular witnesses.

Costs.

SEC. 5. *Be it further enacted*, The cost shall be paid by the party making the application, and if he shall be declared a lunatic, it shall be paid out of his estate.

Return.

SEC. 6. *Be it further enacted*, That upon the return of jury, which shall be in writing and entered upon the minutes of the County Court that said person is of sound mind and competent to control himself and his property, the court shall pronounce a decree declaring such person of sound mind; and the guardianship of such person, if any exist, shall terminate, and he may demand settlement of his guardian.

Sec. 7. *Be it further enacted*, That if the jury do not agree, the court may issue an alias and pluries writ to the Sheriff who shall summon twelve other free-holders or householders to try the cause.

Sec. 8. *Be it further enacted*, That if the applicant shall be declared a lunatic or person of unsound mind, so that he can not control himself and business, no second application shall be made to the court until after one year.

Sec. 9. *Be it further enacted*, The application provided for herein may be made in any county where the applicant may reside, or where his property or guardianship may be.

Passed March 19th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 150.

AN ACT appropriating money for the aid and benefit of the East Tennessee Hospital for the Insane.

WHEREAS, On account of the insufficiency of former appropriations by the General Assembly to complete the building and equipment of the East Tennessee Hospital for the Insane, the Trustees have been compelled to incur debts amounting in the aggregate to sixteen thousand and twenty-six dollars and forty-one cents for that purpose; and,

WHEREAS, The necessities of said institution and the welfare and convenience of its inmates require a further expenditure of money for painting the interior of the buildings, lighting the building with

gas, furnishing an adequate supply of water, fencing and grading the grounds, planting shade trees, constructing a farmer's house and other out-buildings, and making sundry other small additions and improvements; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the sum of sixteen thousand and twenty-six dollars and forty-one cents be, and is hereby, appropriated out of the Treasury for the purpose of paying off and discharging the debts and liabilities incurred as aforesaid, and the Comptroller will draw his warrant for said amount payable to the order of the Trustees of the East Tennessee Hospital for the Insane.*

Sec. 2. *Be it further enacted, That the further sum of thirty-four thousand dollars is hereby appropriated for the purpose of painting, furnishing water and lights, and making the other improvements upon the buildings and grounds of said hospital as aforesaid, and that the Comptroller draw his warrant for said amount, payable to the order of the Trustees of said institution.*

Sec. 3. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 21st, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 151.

**AN ACT** to amend the laws of descent and distribution, and to amend Sections 3285, 3286, 3287, and 3288 of the Revised Code.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That Section 3285 of Milliken & Vertrees' Code be so amended as to include in its provisions persons of color, who have been living as man and wife in other States, and who have moved to this State; and that Sections 3286, 3287, and 3288 of Revised Code be applied to such persons and their issue, whether born in this State or elsewhere.*

Adopted March 21st, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 152.

**AN ACT** to change the time of holding the Circuit Court at Blountsville, Sullivan County.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the times of holding the Circuit Court at Blountsville, Sullivan County, shall be on the first Mondays after the fourth Mondays in March, July, and November.*

**Sec. 2.** *Be it further enacted, That all laws in conflict with this Act are hereby repealed.*

SEC. 3. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Adopted March 21st, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 153.

AN ACT to repeal Section 2234, and from Section 2238 to Section 2243 inclusive, of Milliken & Vertrees' Code, of the fish law, so far as they apply to Giles, Jackson, Obion, Overton, Lawrence, Trousdale, Wayne, Putnam, Meigs, DeKalb, White, VanBuren, Henderson, Grainger, Grundy, and Marion, Rutherford, Lewis, Perry, Decatur, Benton, Polk, McMinn, Bradley, James, Hancock, Marshall, Carroll, Haywood, Lauderdale, Crockett, Scott, Anderson, Clay, Macon, Pickett, Fentress Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Section 2234, and from Section 2238 to Section 2243 inclusive, of Milliken & Vertrees' Code, so far as they apply to Giles, Jackson, Obion, Gibson, Overton, Lawrence, Trousdale, Wayne, Putnam, Meigs, DeKalb, White, VanBuren, Henderson, Grainger, Grundy, and Marion, Rutherford, Lewis, Perry, Decatur, Benton, Polk, McMinn, Bradley, James, Hancock, Marshall, Carroll, Haywood, Lauderdale, Crockett, Scott, Anderson, Clay, Macon, Pickett, and Fentress Counties, be, and they are hereby repealed; Provided, That it shall be unlawful for any explosive or poisonous substance to be used in taking fish, and that it shall be lawful to fish with a sein at any time of the year in said counties.*

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Adopted March 21st, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 154.

**AN ACT** to amend Chapter 98 of the Acts of 1885, entitled "An Act to authorize the counties of this State to issue bonds of a certain character, for certain purposes, and under certain restrictions.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That Section 3, Chapter 98, Acts of 1885, be amended by adding to said section the following provisions, to-wit: *Provided*, The bonds authorized to be issued under this Act may be issued in series, with five years intervening between the maturity of each series, so as to absorb, every five years, the sinking fund herein provided for; *And, provided further*, That the several counties issuing bonds under this Act, in series with five years intervening between the maturity of each series, as above provided, are hereby authorized and required to create a sinking fund for the payment of the principal of said bonds as the same matures, by the levy and collection of an annual tax for that specific purpose, to be known and designated as a "sinking fund tax." Said sinking fund tax shall be of such an amount as that the same, with its accretions, will be sufficient at the end of five years to pay off the bonds maturing each five years. The power to issue bonds under this

provision of this Act is hereby conditioned upon an agreement of the counties so issuing to comply with the requirements of this section as to a sinking fund tax, and said counties issuing bonds in series of five years, as herein provided, in addition to said sinking fund tax, are hereby required to levy a special annual tax to meet the interest on said bonds as the same matures.

SEC. 2. *Be it further enacted*, That all the provisions of Section 5, Chapter 89, of the Acts of 1881, passed April 2d, approved April 4th, 1881, relative to the duties of Trustees and said sinking fund, shall be applicable to, and become a part of the act hereby amended, to-wit: said Chapter 98 of Acts of 1885.

SEC. 3. *Be it further enacted*, The public welfare requiring it, this Act shall take effect from and after its passage.

Passed March 21st, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 155.

AN ACT for the relief and protection of workmen in the purchase of store goods and supplies.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall not be lawful for any manufacturer, firm, company, or corporation, their agents, clerks, or superintendents in this State, who own or control a store for the sale of general store goods or merchandise in connection with their manufacturing or other business, to attempt to con-

trol their employees or laborers in the purchase of store goods and supplies at the aforesaid store by withholding the payment of wages longer than the usual time of payment, whereby the employe would be compelled to purchase supplies at said manufacturer's, firm's, company's, or corporation's store.

**SEC. 2.** *Be it further enacted*, That any manufacturer, firm, company, or corporation, offending against the provisions of this Act, the same shall be a misdemeanor, and on conviction in any court having jurisdiction thereof, fined not exceeding fifty dollars.

**SEC. 3.** *Be it further enacted*, That this Act take effect from and after its passage.

Passed March 21st, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 156.

**AN ACT** to regulate wages of laborers, and to amend Section 2931 of the Code.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That Section 2931 of Article 1 (exemptions) of Milliken and Vertrees' complication of the laws of Tennessee, adopted in 1884, line eleven, be so amended as to read "laborer" instead of "laboring man."*

SEC. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Adopted March 21st, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 157.

AN ACT giving to parties in habeas corpus cases the right of appeal to the Supreme Court.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That hereafter it shall be lawful for any party, either relator or defendant, in any habeas corpus case now pending in, or that may hereafter be brought in any of the courts of this State having jurisdiction of the same to have the right of appeal to the Supreme Court from any judgment or decree rendered against such party by any inferior court trying such habeas corpus case; Provided, however, That the party so appealing shall give bond and security for the costs of such appeal; Provided, This Act shall not apply to parties held in custody in criminal cases.*

SEC. 2. *Be it further enacted, That all laws and parts of laws conflicting with this Act be, and the same are hereby repealed.*

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Adopted March 21st, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 158.

**AN ACT** to change the practice in the Circuit and Criminal Courts of the State in regard to putting criminal juries under the rule.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in all criminal trials, when the minimum degree of punishment for the crime charged in the indictment is not above one year in the Penitentiary, it shall not be necessary for the presiding Judge to place the jury in charge of an officer, but the jury may, in the discretion of the court, disperse as in other cases, and the State shall not be chargeable for their board.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21st, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 159.

AN ACT to organize the Militia of the State of Tennessee, and for the government of the same.

*Persons subject to military duty.* **SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That all able-bodied male citizens between the ages of eighteen and forty-five years, except such as are already exempt by statute, shall be subject to military duty, and be known as the Tennessee State Militia.*

*National Guard.* **SEC. 2.** *Be it further enacted, That the active militia shall be designated the National Guard, State of Tennessee, and shall consist of Brigades, Regiments, Battalions, Troops, Companies, and Batteries, which shall be recruited by volunteer enlistments as herein-after prescribed, and shall take the following oath or affirmation (which may be administered by the enlisting officer), to-wit:*

*Oath.* **“ You do solemnly swear (or affirm), that you will bear true allegiance to the United States, and to the State of Tennessee, and that you will support the Constitution thereof; that you will serve the State of Tennessee faithfully in its service for the term of one year, unless sooner discharged, or you cease to be a citizen thereof; that you will obey the orders of the Commander-in-Chief, and such officers as may be placed over you, and will obey all the laws governing military forces in Tennessee ; so help you God.”**

*Staff of Commander-in-Chief.* **SEC. 3.** *Be it further enacted, That the staff of the Commander-in-Chief shall consist of an Adjutant-General, who shall be chief of staff, an Inspector-General, a Quartermaster and Commissary-General, a Surgeon-General, a Judge-Advocate-General, and an Inspector of Rifle Practice, each with the rank of Brigadier-General, also one Aide from each Congressional District of the State, each with the rank of Colonel.*

*Duties of Adjutant-General.* **SEC. 4.** *Be it further enacted, That the Adjutant-General shall issue and transmit all orders of the Commander-in-Chief with reference to the militia or military organizations of the State, and shall keep a record of all officers commissioned by the Governor, and of all general and special orders, and regulations,*

and of all such matters as pertain to the organization of the State militia and National Guard of the State of Tennessee, and perform the duties of Adjutant-General, and in the absence of actual warfare, he shall perform the duties of Quartermaster and Commissary-General. He shall have charge of the State arsenal and armory, and shall receive and issue all ordnance stores, and camp and garrison equipage, on the order of the Commander-in-Chief, and shall prescribe rules for the government of the department. He shall have charge of, and carefully preserve, the colors, flags, guidons, and military equipage belonging to the State, and shall not allow the same to be loaned out or removed from their proper place of deposit. He shall furnish all blank-books, blanks, and forms, and such military instruction books as shall be approved by the Commander-in-Chief. He shall also, on or before the assembling of the next General Assembly, make to the Commander-in-Chief a full and detailed report of all the transactions of his office for the preceding two years. He shall reside at the State capital and hold his office at the pleasure of the Governor.

*Sec. 5. Be it further enacted, That a brigade shall consist of not less than two nor more than three regiments.* <sup>Organization.</sup> A regiment shall consist of not less than five nor more than twelve companies or batteries. A battalion shall consist of not less than two nor more than four companies or batteries.

*Sec. 6. Be it further enacted, That the Generals of brigades shall be elected by the field staff and line officers of regiments composing the brigade, and shall hold their offices for five years, or until removed by court-martial or resignation.* On the recommendation of the General of a brigade, the Governor may appoint and commission the brigade staff as follows:

Assistant Adjutant General, with rank of Colonel.  
Judge-Advocate, with rank of Colonel.

Assistant Inspector-General, with rank of Colonel.  
Inspector of Rifle Practice, with rank of Colonel.  
Surgeon, with rank of Colonel.

Quartermaster and Commissary, with rank of Major.  
Two Aides-de-Camp, with rank of Captain.

*Sec. 7. Be it further enacted, That the field officers* <sup>Field officers.</sup> *of a regiment shall consist of a Colonel, Lieutenant-Colonel, and Major, who shall be elected by the line*

officers of the regiment. The regimental staff shall consist of:

A Surgeon, with rank of Major.

Assistant Surgeon, with the rank of Captain.

Inspector of Rifle Practice, with the rank of Captain.

Chaplain, with rank of Captain.

Adjutant, with the rank of First Lieutenant.

Quartermaster and Commissary, with the rank of First Lieutenant, to be appointed and commissioned by the Governor, upon recommendation of the Regimental Commander.

Officers of battalion.

SEC. 8. *Be it further enacted*, That the officers of a battalion of infantry shall consist of Major and Adjutant, with the rank of First Lieutenant; a Surgeon, with the rank of Captain, and a Quartermaster and Commissary, with the rank of First Lieutenant. A battalion of cavalry or artillery shall have, in addition to the above named officers, a Commissary, with the rank of First Lieutenant.

Non-commissioned officers.

SEC. 9. *Be it further enacted*, That the commander of a regiment or battalion of infantry shall appoint, by warrant, a Sergeant-Major, Quartermaster and Commissary-Sergeant, Hospital Steward, Color-Sergeant, Ordnance-Sergeant, Drum-Major, and Principal Musician, who shall constitute the non-commissioned staff. The non-commissioned staff for a regiment or battalion of cavalry or artillery shall be a Sergeant-Major, Quartermaster-Sergeant, Commissary-Sergeant, Hospital Steward, Color-Sergeant, Chief Bugler, Farrier-Sergeant, and Saddler-Sergeant, appointed as in infantry.

Term of office.

SEC. 10. *Be it further enacted*, That all field officers shall hold their offices for three years. The commissions of all staff officers shall expire when the officer nominating them, or his successor, shall make new recommendations to their respective offices and such recommendations shall be confirmed by the Commander-in-Chief.

Company organization.

SEC. 11. *Be it further enacted*, That a company of infantry shall consist of a Captain, a First Lieutenant, a Second Lieutenant, five Sergeants, four Corporals, two Musicians, and not less than thirty-five enlisted men and officers. A company of cavalry or artillery shall have, in addition the officers provided for infantry company, a Commissary-Sergeant, Farrier, Saddler, Blacksmith, and a Bugler; *Provided*, That a

battery of artillery having more than four guns, shall be entitled to one additional Second Lieutenant.

**Sec. 12.** *Be it further enacted,* That commissioned officers of companies and batteries shall be elected by the members of the same, and shall hold their offices for two years; they shall be commissioned by the Governor. All non-commissioned officers of companies or batteries, on recommendation of their commanding officers, shall be appointed by the warrant of the battalion or regimental commander. All elections shall be certified through the proper channels to the Adjutant-General.

**Sec. 13.** *Be it further enacted,* That an Examining Board of three or more competent officers, appointed by the Commander-in-Chief, shall convene at such times and places as he shall direct, and examine in military tactics all commissioned officers who shall be ordered before it. Said board shall, in twenty days after such examination, make a detailed report to the Commander-in-Chief, who may revoke all appointments of officers failing to pass the required examination.

**Sec. 14.** *Be it further enacted,* That every officer, non-commissioned officer, musician, and private, shall be held for duty for the full term of one (1) year, unless regularly discharged by order of the Commander-in-Chief.

**Sec. 15.** *Be it further enacted,* That every company, battery, battalion, or regiment, etc., may make by-laws for its government, not in conflict with this Act, or with general orders or regulations, which shall be binding upon the members.

**Sec. 16.** *Be it further enacted,* That whenever any company or battery shall be reduced to a number less than thirty-five officers and privates uniformed and active, to be ascertained by inspection, it may be disbanded or consolidated with another company or battery by the Commander-in-Chief.

**Sec. 17.** *Be it further enacted,* That the organization, equipments, discipline, and military regulations of the National Guard, State of Tennessee, shall conform to the regulations for the government of the Army of the United States, in all cases except as herein otherwise provided; and all orders and regulations governing troops not in conflict with the Constitution of the State and the provisions of this

Act shall be binding upon all members of the National Guard, State of Tennessee.

Uniforms, etc.,  
exempt from  
execution.

Sec. 18. *Be it further enacted*, That the uniform, arms, and equipments of every member of the National Guard, State of Tennessee, shall be exempt from all suits, distresses, executions, or sales for debt or payment of taxes. Also the armory of any military organization, organized under this Act, owned by it, and used or occupied as an armory and for drill purposes, the same to be considered as devoted to scientific and educational purposes.

Privileged from  
arrest.

Sec. 19. *Be it further enacted*, That all members shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at drills, parades, encampments, and election of officers, and in going to or returning from the same.

Drills.

Sec. 20. *Be it further enacted*, That the commanding officers of each regiment, battalion, troop, company, or battery, may order weekly or evening drills.

Camp duty.

Sec. 21. *Be it further enacted*, That the Commander-in-Chief may order a tour of camp duty of not less than six (6) nor more than ten (10) days annually.

Selling liquor  
prohibited.

Sec. 22. *Be it further enacted*, That the commanding officer of any encampment or parade may cause those under his command to perform any field or camp duty he shall require, and may put under arrest during such encampment or parade any member of his command who shall disobey a superior officer, or be guilty of disorderly or unmilitary conduct, and any other person who shall trespass upon the parade or encampment ground, or in any way interrupt or molest the orderly discharge of duty by the members of his command; and he may prohibit the sale of spirituous or malt liquors within one-fourth mile of such encampment, and enforce such prohibition by force if necessary; *Provided, however*, That nothing herein contained shall be construed to interfere with the regular business of any licensed liquor dealer whose place of business shall be situated within said limits before the commencement of said encampment.

Arms to be  
issued, when  
and how.

Sec. 23. *Be it further enacted*, That upon the organization of any company, battery, or battalion, on the requisition of its commanding officer, accompanied by roster of officers and members, and upon the approval of the Governor, the Quartermaster-General shall issue all necessary ordnance and ordnance

stores; *Provided, however,* That when any arms or munitions are delivered to any commander, he shall execute and deliver to the Adjutant-General a bond payable to the State of Tennessee, in sufficient amount and sufficient security, to be approved by the Governor or Adjutant-General, conditioned for the proper use of such arms and munitions and the return of the same when called for by the proper officer. All such arms and munitions shall be kept at the regimental or company armory, and should any person or persons sell, purchase, retain, or have in his or their possession or custody, without right, any military property belonging to the State, and refuse to deliver the same upon demand to any officer entitled to take possession thereof, such person or persons shall be liable to an action for the recovery of the possession of such property, and shall be guilty of a misdemeanor.

Sec. 24. *Be it further enacted,* That the armory of such regiment, battalion, company, troop, or battery, shall be subject to the orders of the Commander-in-Chief and be under the charge of its commanding officer, who shall keep therein all property furnished by the State, and no company or battery shall be furnished with arms or equipments until a suitable armory shall be provided for their deposit; nor shall such arms be loaned or taken from such armories by individual members of the companies or batteries.

Sec. 25. *Be it further enacted,* That the Inspector-General shall critically inspect, whenever directed by the Commander-in-Chief, every branch connected with the service, including armories and military store-houses, and he shall report to the Commander-in-Chief the improvement in discipline and tactical instruction of the National Guard, State of Tennessee, together with all such information as shall be pertinent to the office. All commanders shall furnish to the Inspector-General such information as he may require. Should he find arms, equipments, property, etc., not as it should be, he shall immediately report the same to the Commander-in-Chief. In his annual report the Inspector-General shall state what General and field officers have been in command of parades and encampments, what changes of General and field officers have been made, and what the degree of improvement with officers and men, together with such other suggestions as he may deem pertinent.

Inspector of  
Rifle Practice,  
duties of.

SEC. 26. *Be it further enacted*, That the General Inspector of Rifle Practice shall have charge of rifle practice, and shall direct the manner in which the same shall be conducted. He shall make an annual report to the Commander-in-Chief, detailing in full concerning his department. The Brigade, Regimental, or Battalion Inspector of Rifle Practice shall perform such duties as may from time to time be prescribed by the General Inspector of Rifle Practice.

Courts-martial.

SEC. 27. *Be it further enacted*, That a court-martial for the trial of officers and enlisted men for offenses against the military code, breaches of discipline, or any infringement of the rules and regulations, or custom of service, will be ordered by the Commander-in-Chief whenever, and in such manner and form, as may be decreed expedient or necessary, and all proceedings of courts-martial must be forwarded to and receive his approval before the sentence can go into effect. In all general or regimental courts-martial, the arraignment of the accused, the proceedings, trial, and records shall conform to the regulations for the discipline of the Army of the United States, except as herein otherwise provided, and the sentences of such courts shall be in accordance with the nature and degree of the offense, and according to the established military usage, but shall not extend further in time of peace than to dismissing or discharging the officer or soldier, and disqualifying from holding any military office in this State; *Provided, however*, That all courts-martial shall be held with open doors, and the accused shall have the right to defend, by himself or counsel. The examination of witnesses shall be oral.

Judge-Advocate-General,  
duties of.

SEC. 28. *Be it further enacted*, That it shall be the duty of the Judge-Advocate-General to supervise and care for the management of all things relating to the administration of justice among the military forces of this State. He shall diligently scrutinize and examine the proceedings of all courts-martial, and report thereon for the information of the Commander-in-Chief. He shall also, in like manner, report in all cases of disputed elections for any office which is filled by election under the provisions of this Act. Under orders of the Commander-in-Chief, the Judge-Advocate-General shall act as Judge-Advocate of any court-martial where the public interest may require his attendance. He is chief of his department, and

shall perform such other duties as may be required of him by the Commander-in-Chief.

Sec. 29. *Be it further enacted*, That the Sergeant-General shall be chief of his department, charged with all the duties of same.

Sec. 30. *Be it further enacted*, That whenever any portion of the military forces of this State shall be called into service in accordance with law, the rules and articles of war, and general regulations for the government of the army of the United States, so far as they are applicable, and with such modifications as the Commander-in-Chief may prescribe, shall be considered in force, and regarded as part of this Act during the continuance of such service. But no punishment under such rules and articles, which shall extend to the taking of life, shall in any case be inflicted, except in time of actual war, invasion, or insurrection, declared by the proclamation of the Governor to exist, and then only after approval by the Commander-in-Chief of the sentence inflicting such punishment.

Sec. 31. *Be it further enacted*, That all officers and enlisted men of the National Guard, State of Tennessee, shall receive, when in actual service for the suppression of riot and the enforcement of the laws, the same pay and rations provided by law for officers and enlisted men of the United States Army of like grade for each day's service actually so performed, and shall have transportation, all payments to be made on rolls prescribed by the Adjutant-General. No officer or member, while acting under orders from the Commander-in-Chief, shall be liable to any action, civil or criminal, in any court for any act committed within the scope of his orders or duty, and in obedience thereto.

Sec. 32. *Be it further enacted*, That all accounts accruing under this Act shall be passed through proper channels to the Adjutant-General, by whom they shall be audited before payment.

Sec. 33. *Be it further enacted*, That the National Guard, State of Tennessee, when parading or performing any duty shall have the right of way in any street or highway through which they may pass; *Provided*, That the carriages of the United States mails, the legitimate functions of the police, and the progress and operations of fire engines and fire departments shall not be interferred with thereby.

Membership,  
transfers, etc.

**SEC. 84. Be it further enacted,** That no person shall be a member of two companies at the same time; that transfers from one company to another shall only be made by the consent of the commander affected thereby.

No unlawful  
organizations  
permitted.

**SEC. 85. Be it further enacted,** That there shall not be organized within this State any body of men except as herein or by law provided, for the purpose of military instruction or discipline; nor shall any body of men assemble together with arms of any kind or description, for any unlawful purpose; *Provided*, That benevolent or other organizations authorized by law, may use swords for the purpose of display when on drill or parade.

Uniforms not to  
be worn by  
others than  
members.

**SEC. 86. Be it further enacted,** That the uniform of the National Guard, State of Tennessee, shall not be worn by persons other than the members thereof.

Penalties.

**SEC. 87. Be it further enacted,** That it shall be a misdemeanor to violate either of the two preceding sections.

Commission to  
prepare rules,  
etc.

**SEC. 88. Be it further enacted,** That the Commander-in-Chief may, within three months after the passage of this Act, appoint a commission to prepare such rules and regulations as may be deemed proper for the use, government, and instruction of the military forces of this State, and to carry into full effect the provisions of this Act. The same to be approved by the Commander-in-Chief. He is also hereby authorized to make such changes and alterations in said rules and regulations, from time to time, as he may deem expedient, but such rules and regulations shall conform to this Act, and to those governing the United States Army, and shall have the same force and effect as the provisions of this Act.

Military col-  
leges, etc.

**SEC. 89. Be it further enacted,** That military colleges in the State, and junior military organizations, may be enrolled by the Adjutant-General at his discretion, subject to all the requirements of this Act, except as to age and numbers, and shall be entitled to all the benefits of the same.

Reports to be  
made, when.

**SEC. 40. Be it further enacted,** That the commanding officers of all organizations formed under this Act, shall, semi-annually, under oath, make reports and ordnance returns to the Adjutant-General, and shall account for loss and destruction of all arms and accoutrements.

**Sec. 41.** *Be it further enacted*, That all laws or parts of laws in conflict with this Act be, and the same are hereby, repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 22d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 160.

**AN ACT** to authorize railroad corporations created by the laws of other States to extend their railroads into this State, and to acquire right of way therefor.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That any railroad corporation created by the laws of any other State, shall be authorized and empowered to extend its railroad into this State a distance of not exceeding five miles from the point of its entrance into this State, for the purpose of reaching a terminal point, or a general or a union depot, in or in the vicinity of any city, town, or village in this State.

**Sec. 2.** *Be it further enacted*, That such corporations may acquire the right of way for their railroads from the line of this State to their terminal points or depots in this State, by purchase, or by gift, or by condemnation, according to the laws of this State, as provided in Sections 1550 to 1573, inclusive, of the Code of Tennessee (Milliken & Vertrees).

**Sec. 3.** *Be it further enacted*, That such corporations shall have the power and right to purchase, hold, use, real estate, and enjoy all real estate necessary for the erection

and maintenance of their depots, shops, yards, side-tracks, turnouts, and switches, both along the route and at their terminal points in this State; *Provided*, They shall first apply for and receive a charter in this State.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Adopted March 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 161.

AN ACT for the benefit of turnpike companies between towns and railroad depots that are not as much as five miles in length.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter, in cases of the organization of turnpike companies between towns and villages, or between such and railroad stations that are not more than two and one-half miles, shall have the right to locate a gate between said points; *Provided*, That not more than one toll shall be charged in going and returning on the same day.

SEC. 2. *Be it further enacted*, That it shall be lawful for turnpike companies whose roads are completed and open to travel any fractional distance of five miles over and above the distance covered by the gates they already have erected, and at which they are receiving toll, to erect another toll-gate at which they may receive such fractional toll as the said additional and fractional part of their road is a fractional

part of five miles; *Provided*, That said fractional distance is not less than two and one-half miles; *And provided further*, That said fractional toll-gate shall be kept within three-fourths of a mile of the terminus of their road.

Passed March 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 162.

**AN ACT** to amend Section 352 Milliken & Vertrees' compilation of Code, and to provide for the election of a County Judge for Humphreys County.

**SECTION 1.** *Be it enacted by the General Assembly of County Judge, the State of Tennessee,* That there shall be elected by the qualified voters of the county of Humphreys a person learned in the law to be styled "County Judge" for said county.

**Sec. 2.** *Be it further enacted,* That the election for <sup>now elected.</sup> County Judge shall be held at the same place and by the same officers by whom county elections are held and under the same regulations prescribed for county elections, except elections to fill a vacancy in the office of County Judge, which may be held at any time under a proper and legal notice.

**Sec. 3.** *Be it further enacted,* That the compensation of the County Judge of Humphreys County shall be fixed by the Quarterly Court of Humphreys County before the election of said County Judge, and

he shall have no other or further compensation for his services as such: Said Judge shall be paid his compensation quarterly out of the County Treasury, to be paid by the Trustee on the Judge's own warrant.

Oath.

Sec. 4. *Be it further enacted*, That the County Judge elected under the provisions of this Act shall be commissioned in the same manner as other Judges of this State, and before entering upon the discharge of his duties, he shall take an oath to support the Constitution of the United States, and the Constitution of the State of Tennessee, with all its amendments, and an oath to faithfully discharge the duties of his office.

County Court Clerk.

Sec. 5. *Be it further enacted*, That the present County Court Clerk for Humphreys County shall be, and continue to be, the Clerk of said County Court of Humphreys County until the next regular election for Clerk of said court, and shall have and retain all the power and jurisdiction now possessed by him.

Quorum Court abolished.

Sec. 6. *Be it further enacted*, That the Quorum Court of Humphreys County be, and the same is hereby, abolished, and the County Judge shall have and exercise all the powers and jurisdiction now belonging or pertaining to said Quorum Court.

Duties and powers of County Judge.

Sec. 7. *Be it further enacted*, That the County Judge shall hold the County Courts of Humphreys County monthly on the first Monday in each month, and shall preside over all Quarterly Courts, and is hereby clothed and invested with all the powers and privileges and jurisdiction, and charged with the performance of the duties defined by an act of the General Assembly of the State of Tennessee passed January 31st, 1868, Chapter 30.

Term of office.

Sec. 8. *Be it further enacted*, That said County Judge for Humphreys County shall be elected by the qualified voters of said county at the August election, 1888 for county officers, and shall hold his office eight years from the date of his commission, and forever thereafter his successors shall be elected in the same manner for the period of eight years, and in case of death, resignation, or from any other cause the office should become vacant during the time for which said Judge shall have been elected, his successor shall be elected in the manner now provided by law.

**Sec. 9. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.**

Adopted March 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 163.

**AN ACT to amend "An Act to provide for the organization of corporations," passed March 23d, 1875, being Chapter 142 of the Acts of 1875, so as to provide for the organization of companies or corporations, to purchase, own, breed, improve, sell, and deal in live stock.**

**SECTION 1. Be it enacted by the General Assembly of <sup>Act amended.</sup> the State of Tennessee, That an act passed March 19th, 1875, approved March 23d, 1875, entitled "An Act to provide for the organizations of corporations," being Chapter 142 of the Acts of 1875, be, and the same is hereby, amended so as to authorize and provide for the organization of corporations to purchase, own, improve, breed, and sell, and deal in live stock for individual profit.**

**Sec. 2. Be it further enacted, That the form of a <sup>Form of</sup> charter for a company for the purpose of purchasing, owning, improving, breeding, selling, and dealing in live stock for individual profit, shall be as follows:**

**STATE OF TENNESSEE—CHARTER OF INCORPORATION.**

**Be it known, That [here insert the names of five or more persons, not under twenty-one years of age], are hereby constituted a body politic and corporate, by the name and style of [here insert the name of the**

corporation], for the purpose of purchasing, owning, improving, breeding, selling, and dealing in live stock in the county or town of \_\_\_\_\_. The general powers of said corporation are [here insert the powers as set forth in Section 5 of the Act of 1875, Chapter 142, entitled "An Act to provide for the organization of corporations."]

Power to own  
and construct  
tracks.

SEC. 3. *Be it further enacted*, That all corporations organized under this Act shall have power to own and construct tracks for training and improving the speed of horses, such tracks to be used simply for training and developing the speed of their own stock, and if used otherwise, to be taxed as other public tracks.

Live stock may  
be taken in  
payment of  
stock.

SEC. 4. *Be it further enacted*, That live stock may be taken in payment of any part of the capital stock at a fair valuation.

Charter, how  
obtained.

SEC. 5. *Be it further enacted*, That the charter of corporations provided for by this Act shall be obtained in the manner pointed out by Section 26 of said act passed March 23d, 1875, entitled "An Act to provide for the organization of corporations," being Chapter 142 of the Acts of 1875.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Adopted March 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 164.

AN ACT to create and regulate the office of County Judge in Overton County.

SECTION 1. *Be it enacted by the General Assembly of County Judge, the State of Tennessee,* That there shall be elected by the qualified voters of Overton County a person to be styled County Judge, for said county, who shall hold his office for the term of four years from the date of his commission, said person to be a citizen of Overton County, of good moral character, also of the age of thirty years.

Sec. 2. *Be it further enacted,* That the first election <sup>First election.</sup> for County Judge of Overton County shall be held at the same place and by the same officers that other county elections are held, on the first Thursday in August, 1888, and under the same rules and regulations that are prescribed by law for other elections, and subsequent elections on the first Thursday in August every four years thereafter, except vacancies, which shall be filled when they occur in the manner prescribed by law.

Sec. 3. *Be it further enacted,* That the County Judge <sup>Rights and powers of County Judge.</sup> of Overton County shall have and exercise all the right, powers, and jurisdictions that are conferred by existing laws upon the County Judges of this State, and shall comply with all the requirements of and perform all the duties imposed by law, creating and regulating the powers and duties of County Judges.

Sec. 4. *Be it further enacted,* That Chapter 70 of the Acts of 1875 be so amended as to confer the powers and jurisdictions now vested in and belonging to the Chairmen of the County Courts of this State upon such County Judge as may be appointed under this Act by the Governor of thereafter elected by the qualified voters of Overton County; and the office of Chairman of Overton County Court is hereby abolished, from and after the first Monday in April, 1887. <sup>County Judge to possess same powers as Chairmen.</sup>

Sec. 5. *Be it further enacted,* That the County Judge <sup>Salary.</sup> of Overton County shall receive a salary of three hundred dollars (\$300) annually for his services, to be paid quarterly out of the county revenue collected for the years in which the services are rendered.

*Governor to appoint Judge for unexpired term.*

**Sec. 6. Be it further enacted, That the present Chairman of the County Court of Overton County continue to hold the County Court of said county until the first Monday in April, 1887, during which time it shall be the duty of the Governor to appoint a Judge under this Act, and duly commission him to fill out the time from the first Monday in April, 1887, until the regular election in August, 1888, and this Act shall take effect from and after its passage, the public welfare requiring it.**

Adopted March 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 165.

AN ACT to accept a surrender of the charter, and a donation to the State of the property of the Randall Cole Industrial School, to provide for its management as a State institution, and to make an appropriation for its improvement.

WHEREAS, The corporation known as the Randall Cole Industrial School, in order to make the institution strictly a State institution, proposes to surrender its charter to the State, and to convey its property, by deed of gift, to the State of Tennessee; and,

WHEREAS, The founder of said institution proposes to make a further donation to the State of valuable property designed for the institution; and,

WHEREAS, The founder desires to change the name of said institution to the "Tennessee Industrial School;" therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the State of Tennessee does hereby accept such tendered surrender of charter and conveyance of property, and does declare said Randall Cole Industrial School one of the charitable institutions of the State.

SEC. 2. *Be it further enacted,* That the Board of Directors of said institution shall consist of seven persons, two from the Eastern, two from the Western, and three from the Middle Division of the State, who shall hold their offices, two for two years, two for four years, and three for six years, besides the Governor, Comptroller, and Secretary of State, who shall be *ex officio* directors. The first Board of Directors shall be nominated by the Governor and confirmed by the Senate. All vacancies occurring in the board shall be filled by nominations made by the remaining members, and confirmed by the Senate. Such Board of Directors shall elect a President, Secretary, and Treasurer, and may, by by-laws, provide for such other officers, agents, and committees as to them may seem necessary, fix the term of office of the President and other officers, and make all needful rules and regulations, not inconsistent with law, for the government of said institution.

SEC. 3. *Be it further enacted,* That all of the provisions of the act of the General Assembly of the State of Tennessee, approved February 20th, 1885, and entitled "An Act for the benefit and protection of orphan, helpless, and abandoned children," shall continue in force, and are hereby re-enacted for the government of said school as a State institution; *Provided,* That the number of scholarships to which any county shall be entitled shall be exclusive to that county, and in the event that any such county shall not send any pupil to said school, then said vacancy shall not be filled by pupils from any other county, except by the written consent of the Chairman or Judge of the County Court of the county entitled to such vacant scholarship; *And provided further,* That in no event shall honest, abandoned children be allowed to associate or work with juvenile criminals.

SEC. 4. *Be it further enacted,* That the sum of twelve thousand five hundred dollars, to be used at the discretion of the Board of Directors, out of any money in the Treasury of the State, not otherwise appropriated, be, and the same is hereby appropriated

Officers to re-  
port biennially.

the purpose of erecting additional buildings and making additional improvements on the land of said institution after the same shall have been conveyed to the State, and for the purpose of furnishing the same. As soon as said corporation shall have formerly surrendered its charter to the Governor, and the organization under this Act shall have taken place, and the officers of the institution shall have delivered to Comptroller of the State deeds of gift, properly executed and acknowledged, conveying to the State of Tennessee the ninety-two acres of land near the city of Nashville, Tennessee, owned by, and purchased for, the institution, together with the buildings and improvements thereon, the Comptroller shall issue his payable warrant for said sum, to the Treasurer of said institution, and the Treasurer of the State shall pay the same, and said money shall be expended for the purpose of its appropriation, under the direction of said Board of Directors. The officers and directors shall make biennial reports of their action and the condition of the institution, to the General Assembly of the State. The Treasurer, before receiving any money, shall give bond, with surety or sureties, satisfactory to the Governor, in a penal sum to be fixed by the Governor, conditioned to faithfully keep and account for said money so appropriated, and all other money belonging to the institution received by him.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 22d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 166.

AN ACT to incorporate the town of Tennessee City, in the county of Dickson, and to provide for the election of officers, and prescribe their duties, and to authorize the Mayor and Aldermen of said town of Tennessee City, Dickson County, to borrow a sum not exceeding fifty thousand dollars, for the purpose of purchasing sites for Public School-houses, Water-works, City Hall, and Market-house, and for the purpose of providing sewerage, grading and paving streets, avenues, boulevards, and public squares; and to issue bonds not exceeding said amount, and to levy and collect special taxes for the payment of the same, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of Tennessee, in the State of Tennessee,* That the town of Tennessee City, in the county of Dickson, and the inhabitants thereof, be, and are hereby, constituted a body politic and incorporated, under and by the name of the Mayor and Aldermen of the town of Tennessee City; and shall have perpetual succession, and by their corporate name may sue and be sued, plead and be impleaded, grant, receive, purchase and hold real estate, personal and mixed property, or dispose of the same for the benefit of the said town, and may have and use a corporate seal.

SEC. 2. *Be it further enacted,* That the corporate limits of said town of Tennessee City, shall be as follows, to-wit: Beginning on the northeast corner of the Dupre tract of land, runs south to said Dupre's southeast corner; thence west to the Campbell tract; thence south to the southeast corner of said Campbell tract; thence west to the Humphreys County line; thence north to the northwest corner of W. A. Moody's tract; thence east to the beginning, and also including all of the said town of Tennessee City as now laid out.

SEC. 3. *Be it further enacted,* That the corporation aforesaid, shall have full power and authority to enact corporate powers. and pass such laws and ordinances necessary to preserve the health of the town, to prevent and remove nuisances, and shall have power to pass such other laws and ordinances not inconsistent with the general laws of the State, and to do and perform all acts and things that municipal corporations may now do, under the general laws of the State of Tennessee.

Election of officers.

**SEC. 4. Be it further enacted,** That the Sheriff of said county of Dickson, after giving ten days' notice, shall hold an election in the town of Tennessee City, on the first Thursday in May, 1887, and on the same day of each and every succeeding year, for the purpose of electing five persons to serve as Aldermen, and one person for Town or Police Magistrate, and one other person for Town Constable or City Marshal of said town of Tennessee City, for one year, except as to Magistrate, who shall serve for six years, commencing the first Thursday in May, 1887, the day of their election, and all persons living in the limits of said corporation, who would be qualified voters for the members of the Legislature of this State, and persons owning a freehold within the bounds of said corporation, and otherwise entitled to vote, shall be entitled to vote at said election. And no person shall be eligible to the appointment of Aldermen unless he shall have a freehold in said town, and has been a citizen thereof for six months previous to said election. And in case of death, removal, or resignation, of any one of the officers of said corporation, the Mayor and Aldermen shall have power to fill such vacancies for the time unexpired, except as to Magistrates, who shall be elected by the qualified voters.

Certificate of election.

**SEC. 5. Be it further enacted,** That the several persons so qualified as aforesaid, having the highest number of votes at any election held, shall be declared elected, and the Sheriff holding the election as aforesaid, shall, within three days thereafter, give to each of the five Aldermen, Constable, and Magistrate, a certificate of the election, and it shall be the duty of the persons so elected to meet in said town on the next day after their election, and after having been qualified, the Aldermen, three of whom shall constitute a quorum, shall proceed to elect, by ballot, one of their own number to be Mayor of said corporation, and shall also proceed to elect a Recorder of said corporation for the same time for which the Aldermen were elected, as aforesaid, and the person or persons appointed or elected by them, shall serve until the first Thursday in May succeeding, or until their successor is duly elected and qualified.

Election of Mayor.

Election of Recorder.

Oath.

**SEC. 6. Be it further enacted,** That the Mayor and Aldermen, and other officers of said town, shall, before entering upon the duties of their office, take an oath

before some Justice of the Peace, to faithfully and impartially demean themselves in office.

Sec. 7. *Be it further enacted*, That the Mayor and Aldermen of the town of Tennessee City, Dickson County, be, and they are hereby, authorized and empowered, as soon as lawfully elected, and after having qualified, to borrow a sum not exceeding fifty thousand dollars, for the purpose of purchasing sites for public school-houses, water-works, city hall, and market-house, and fire engine-houses; and for the purpose of constructing and furnishing public school buildings, water-works, city hall, and market-house, and for the purpose of providing sewerage, grading, and paving streets, avenues, boulevards, and public squares, to be used as municipal property for the use and benefits of the inhabitants of said town of Tennessee City, and to this end said Mayor and Aldermen of Tennessee City are hereby authorized and empowered to issue negotiable, interest-bearing, coupon bonds, in a sum not exceeding fifty thousand dollars, and to negotiate and sell the same for the purpose of raising the money for purchasing sites for public school-houses, water-works, city hall, and market-house, and fire engine-houses; and for the purpose of constructing and furnishing public school buildings, water-works, city hall, and market-house, and for the purpose of providing sewerage, grading, and paving streets, avenues, boulevards, and public squares, to be used for the benefit of said town, but for no other purposes. Said bonds shall be signed by the Mayor and Recorder of said town, and the corporate seal of said town shall be affixed to each before issued; they shall be issued in such denominations as the said Mayor and Aldermen shall fix, and shall be payable at the end of twenty years from the date of their issuance, or sooner, at the option of the Mayor and Aldermen of said town, and shall bear interest at the rate of six per cent. per annum, payable semi-annually, to be evidenced by coupons attached to each of said bonds. But said bonds shall not be sold or disposed of at less than dollar for dollar of their face value; *Provided*, That no bonds shall be issued under the provisions of this Act until there is a concurrence of three-fourths of the qualified voters of Tennessee City, to be ascertained at an election for that purpose, in such manner and times as the Mayor and Aldermen may prescribe.

Authorized to  
borrow money.

Bonds.

Bonds to be  
signed by  
Mayor and  
Recorder.

Election to be  
held.

*Special tax.*

**SEC. 8.** *Be it further enacted,* That upon the issuance of said bonds in conformity with the foregoing section, they shall be a valid and binding debt and obligation of the Mayor and Aldermen of the town of Tennessee City, and the Mayor and Aldermen of the town of Tennessee City are hereby authorized and empowered to levy and collect annually, beginning with the year 1887, while said bonds, or any of them, are outstanding, a special tax not exceeding the rate of twenty cents on the one hundred dollars, assessed value on all the taxable property within the corporate limits of said town, and taxable under the laws of the State for corporation purposes, and to levy and collect a special privilege or license tax upon all pursuits, vocations, and business carried on within the corporate limits of said town required by the laws of the State to pay a privilege tax to the State, not exceeding the rate or amount of privilege tax on such business for State purposes, for the purpose of paying the interest on said bonds as it becomes due, and to create a fund with which to pay off and retire the bonds herein authorized to be issued.

**SEC. 9.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 167.

**AN ACT** to prohibit the sale of intoxicating liquors as a beverage near any school-house, public or private, where a school is kept, whether the school be in session or not.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That it shall not hereafter be lawful for any person to sell or tipple any intoxicating liquors, including wine, ale, and beer, as a beverage, within four miles of any school-house, public or private, where a school is kept, whether the school be then in session or not, in this State, and that any one violating the provisions of this Act shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine for each offense of not less than ten dollars nor more than one hundred dollars, and imprisonment for a period of not more than six months, at the discretion of the court.

**SEC. 2.** *Be it further enacted,* That this Act shall not apply to the sale of such liquors within the limits of any incorporated town, nor to sales made by persons having licenses to make the same at the date of the passage of this Act during the time for which such licenses were granted, nor to sales by manufactories of such liquors in wholesale packages or quantities.

**SEC. 3.** *Be it further enacted,* That all laws in conflict with this Act be, and the same are hereby, repealed.

Passed March 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 168.

**AN ACT** to amend an act entitled "An Act to reduce the several acts incorporating the City of Columbia into one act and to amend the same," passed February 25th, 1869, so as to empower and authorize the citizens thereof to elect the City Recorder and City Constable or City Marshal.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That an act entitled "An Act to reduce the several acts incorporating the City of Columbia into one act, and to amend the same," passed February 25th 1869, be, and the same is hereby, so amended that the City Recorder and City Constable or City Marshal shall be chosen by the qualified voters of said City of Columbia at the same time and in the same manner that the Mayor and the Aldermen are elected, to serve for two years from the time of their election and induction into office and until their successors are elected and qualified.

**Sec. 2.** *Be it further enacted,* That all acts or parts of acts in conflict with this Act, or coming within the purview of the same, be, and they are hereby, repealed.

**Sec. 3.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 169.

**AN ACT** to fix the times for holding the Chancery Court for Tipton County.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the Chancery Court for Tipton County shall be held on the third (3d) Mondays of March and September in each year, and that all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.*

**SEC. 2.** *Be it further enacted, That all process issued and bonds taken returnable to the terms of said court as now established by law, shall be deemed and held valid and binding.*

Passed March 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 170.

**AN ACT** to repeal Section 5314 of Milliken & Vertrees' Code of Tennessee.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That Section 5314 of Milliken & Vertrees' Code of Tennessee, prohibiting Justices of the Peace and Clerks of the County Courts charging fees for certificates and seals in the applications for pension and pensioners' money, or upon powers of attorney for that purpose, be, and the same is hereby,*

repealed. And that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 171.

AN ACT to give land owners a lien on crops for supplies furnished, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That land owners and persons controlling land by lease or otherwise shall have a lien on the crops raised on such lands by share-croppers for supplies, implements, and work-stock furnished such croppers, for himself or those dependent on him, to enable the cropper to make a crop.

Sec. 2. *Be it further enacted,* That such furnisher shall have the same rights and enforce them in the same way and at same time as provided for landlords in Section 4280 *et seq.* of the Code (M. & V.).

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 172.

**AN ACT** to appoint an arbor day for the public schools of the State, to encourage the planting of trees about the public school buildings, that the grounds may be beautified and made more attractive, and the minds of the young impressed with the importance of the subject.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the duty of the County Superintendent of Public Schools of each county to set apart some day in November in each year as "arbor day" in all the public schools of the county, that trees may be planted around the buildings that the grounds around such buildings may be improved and beautified; such planting to be attended with appropriate and attractive ceremonies, that the day may be one of pleasure as well as of instruction for the young; all to be under the supervision and direction of the teacher, who shall see that the trees are properly selected and set.

**SEC. 2.** *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 28d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 178.

**AN ACT to exempt islands and towheads included within the corporate limits of Chattanooga from municipal taxes.**

**SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,*** That all islands or towheads now included, either in part or in full, within the incorporate limits of the City of Chattanooga, in the county of Hamilton, shall be exempt from city or municipal tax, so long as said lands are used for agricultural purposes only, and when so used for agricultural purposes alone, then they shall be subject to taxation the same as other farming lands lying outside the city limits, and adjacent thereto. But should said islands or towheads at any time be converted into any purpose for city improvement, then said lands so used shall be subject to city or municipal tax.

**Sec. 2. *Be it further enacted,*** That all laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

**Sec. 3. *Be it further enacted,*** That this Act take effect on and immediately after its passage, the public welfare requiring it.

Passed March 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 174.

**AN ACT** to amend the charter of Pulaski and Brick Church Turnpike Company in Giles County.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the Pulaski and Brick Church Turnpike Company in Giles County be so amended as to make lawful grade upon said turnpike of eight degrees or less.

**Sec. 2.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives,*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 175.

**AN ACT** confirming the sales and transfers of the rights, privileges, franchises, etc., of the Mississippi River Railroad Company to the Chesapeake, Ohio and Southwestern Railroad Company, etc.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That,

WHEREAS, Heretofore under the provisions of Sections 28 to 66, both inclusive, of Chapter 42, of the Acts of A. D. 1857-8 of the Legislature of this State entitled "An Act to charter the Greenville and North Carolina Railroad Company, to amend the charter of Eagleville, Unionville and Shelbyville Turnpike Com-

pany, and to incorporate the Mississippi River Railroad Company, and for other purposes," said Mississippi River Railroad Company was duly incorporated under said act and various amendatory acts, certain rights and privileges, franchises and immunities were conferred by the State upon that company; and,

WHEREAS, Under the rights so conferred, said company was afterward consolidated with the Paducah and Gulf Railroad Company, of Kentucky, under the name of the Paducah and Memphis Railroad Company; and,

WHEREAS, Said Paducah and Memphis Railroad Company under the rights and privileges so conferred by said charter act, made a mortgage upon its railway line and properties as well as of its rights, privileges, franchise and immunities, which mortgage was, about 1877, under proper proceedings for that end in the Circuit Courts of the United States at Memphis and Paducah, duly foreclosed, and thereunder said railway line, properties, rights, privileges, franchises, and immunities sold and transferred to a corporation known as the Memphis, Paducah and Northern Railroad Company; and,

WHEREAS, Said, last named, company also made a mortgage upon its said railway line, properties, rights, privileges and immunities so acquired from said Paducah and Memphis Railroad Company, and having suffered a default as to the money payments so thereby secured, said mortgage also was under proper proceedings for that purpose in the Circuit Courts of the United States at Memphis and Louisville, duly decreed to be, and was foreclosed, and thereunder said railway line, properties, rights, privileges, franchises and immunities were sold and transferred into the Chesapeake, Ohio and Southwestern Railroad Company, a corporation organized under Chapter 12 of the Acts of the Legislature of A. D. 1877, entitled "An Act as to the sale of railroads under mortgage, granting certain powers to purchasers and authorizing incorporation of purchasers," and as such incorporation of Tennessee afterwards, by act approved the 18th of January, A. D. 1882, entitled "An Act to incorporate the Chesapeake, Ohio and Southwestern Railroad Company," Chapter 59 of Acts of 1881, of the Legislature of Kentucky, duly incorporated in that State; and by these several mortgages and sales all the said rights, privileges, franchises and immunities

so granted by the State of Tennessee under said charter act of A. D. 1853, and various amendatory acts, to the Mississippi River Railroad Company, have been assigned and transferred to the Chesapeake, Ohio and Southwestern Railroad Company, which last named company has completed the line of railroad contemplated by said charter act. Therefore, it is hereby enacted that said sale, transfer and assignment of all said rights, privileges, franchises and immunities to the Chesapeake, Ohio and Southwestern Railroad Company be, and the same are hereby, ratified, approved and confirmed by the State of Tennessee.

SEC. 2. *Be it further enacted*, That said Chesapeake, Ohio and Southwestern Railroad Company so organized as recited in the first section of this Act, under articles filed in the office of the Secretary of State and duly recorded in Corporation Record Book D, page 548, is hereby declared to be a corporation of this State, and as such to have all the rights, powers, privileges, franchises and immunities, and to be charged with all the duties so granted and imposed on said Mississippi River Railroad Company in and by said charter act and the several acts amendatory thereof as recited and set forth at large and in full in its said articles of incorporation.

SEC. 3. *Be it further enacted*, That all claim of exemption from taxation having been waived and surrendered by said companies in A. D. 1880, nothing herein shall be considered as reviving any right to any exemption from taxation, and said properties and franchises shall be liable to taxation as heretofore.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 176.

AN ACT to amend an act entitled "An Act to provide for the organization of corporations," being Chapter 142 of the Acts of 1876, and to amend the charter of all gas companies heretofore incorporated under said acts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 25 of the act aforesaid, prescribing the form of charter for a gas company, be, and the same is hereby, so amended as to insert after the words, "Provided, They shall repair the same with the least possible delay," the following, viz.: "And provided further, That no one of the streets or alleys of said city shall be entered upon or used by said company for laying pipes and conductors, or otherwise, until the consent of the municipal authorities shall have been first obtained, and an ordinance shall have been passed prescribing the terms on which the same may be done."

SEC. 2. *Be it further enacted,* That the amendment aforesaid be, and the same is hereby, inserted into and engrafted upon the charter of each and every gas company heretofore incorporated under said act.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 177.

AN ACT to repeal Section 882 of Milliken & Vertrees' Code of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Section 882 of the Code named in the above caption be, and the same is hereby, repealed.*

Sec. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 23d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 178.

AN ACT to amend the law establishing a Bureau of Insurance, and to regulate the business of mutual or assessment insurance in the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the business of insurance in this State shall be a taxable privilege, whether the same be done by companies chartered by or incorporated under the laws of this State or the laws of any other State or foreign government, and whether issuing policies or certificates of risk on life or property, and whether doing business on the old line sys-*

Business of insurance a taxable privilege.

tem or on the mutual or assessment plan, whereby each policy or certificate is paid or discharged entirely by premiums or assessments collected from its members, whether such premiums or assessments are collected annually, semi-annually, or quarterly, or only by assessment on surviving members when a death claim is presented for payment; and for the privilege to do business in this State every such mutual or assessment company or association, whether chartered by or incorporated by the laws of this State or any other State or foreign country, shall pay a tax of one hundred dollars per annum, payable when its charter or articles of incorporation are filed with the Insurance Commissioner, and annually thereafter, and this tax shall be in lieu of all other tax on such company, whether State, county, or municipal; *Provided*, That charitable or benevolent associations or orders, or strictly social orders, shall not be included in the provisions of this Act.

Does not apply  
to benevolent  
institutions.

Must file state-  
ment.

SEC. 2. *Be it further enacted*, That all such companies or associations, whether chartered by or incorporated under the laws of this State or under the laws of other States and doing business in this State, issuing policies or certificates on the mutual or assessment plan, shall forthwith file a statement, verified by the oath of the President and Secretary thereof, setting forth that such company has a mortuary or reserved fund on hand not less than the maximum or largest policy or certificate issued by such company and in force at the time such statement is made. To each company complying with the requirements of Sections 1 and 2 of this Act, the Insurance Commissioners shall issue a license to do business in this State; *Provided*, That such company shall be licensed to do business in this State until it has not less than two hundred members holding its policies or certificates.

Certified copy  
of charter to  
be filed.

SEC. 3. *Be it further enacted*, That all such mutual or assessment companies or associations, whether domestic or foreign, and doing business in this State, shall forthwith file with the Commissioner of Insurance a certified copy of their charter or articles of incorporation, and shall make annually, on the 1st day of January, a statement to said commissioner, showing their financial condition, embracing the number of policies or certificates issued or risks written, the premiums or amounts received thereon, the losses or

death claims incurred and the amounts paid on the same, and the Commissioner of Insurance shall charge a fee of ten dollars (\$10) for filing such report; and the commissioner aforesaid shall be allowed to charge the further sum of three dollars (\$3) for each certificate or license issued at the request of the company to agents to do business in this State, and such payment shall be in lieu of all license tax, whether State, county, or municipal, to be required of such agent.

*Sec. 4. Be it further enacted,* That any person, company, or agent, who shall solicit applications or offer to issue policies or certificates of insurance, or shall procure and deliver policies or certificates in any such company or organization without taking out license as provided in this Act, shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than double the tax aforesaid, and for the further enforcement of this Act it shall be the duty of the Sheriffs, Constables, and Justices in the several counties to arrest, or have arrested, persons violating the same, who shall be bound over to the Circuit or Criminal Court in a bond not less than five hundred dollars, and no prosecutor shall be necessary on any indictment in such cases, and the Attorney-General shall prosecute the same *ex officio*.

*Sec. 5. Be it further enacted,* That this Act shall not be construed to repeal the laws now in force in regard to other insurance.

*Sec. 6. Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

20—Acts.

## CHAPTER 179.

**AN ACT** to amend Section 17 of Chapter 114, Acts of 1883, an act entitled "An Act to provide for the creation and organization, and defining the powers of municipal corporations, embracing territories of cities having a population of thirty-six thousand and upwards, according to the Federal census of 1880, whose charters have been abolished."

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That Section 17 of Chapter 114, Acts of 1883, an act entitled "An Act to provide for the creation and organization, and defining the powers of municipal corporations, embracing territories of cities having a population of thirty-six thousand and upwards, according to the Federal census of 1880, whose charters have been abolished," be so amended as to add as sub-section 37 to said Section 17, the following, viz.: Section 37. To grant to any natural gas company doing business in this State, the exclusive right to the use of its streets, alleys, and public grounds, for the transportation of natural gas, and the sale thereof to its citizens, for a term of not exceeding twenty years from the date of bringing such gas into the limits of such municipal corporations, upon such conditions as the Mayor and City Council may prescribe; *Provided, however,* Such Mayor and City Council shall have the right to provide in the ordinance making such grant, for the purchase of such natural gas plant at the expiration of said term.

**Sec. 2.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 180.

**AN ACT** to govern County Courts in all elections and appointments.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That in making all elections and appointments coming before the County Courts, the vote of the Justices present shall be taken by ayes and nays, the Clerk calling and recording the name of each Justice, together with his vote, aye or nay, as it is given, which shall be entered on the minutes, together with the names of the persons elected or appointed.

**Sec. 2.** *Be it further enacted,* That this Act take effect from and after its passage.

Passed March 23d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 24th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 181.

**AN ACT** to change the time for holding the Chancery Court of Lincoln County, and to repeal so much of an act passed June 11th, 1885, and approved June 12th, 1885, as fixes the time for holding said court.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter the times for the holding of the Chancery Court in Lincoln County shall begin on the second Mondays in May and November in each year.

SEC. 2. *Be it further enacted*, That so much of an act passed June 11th, 1885, and approved June 12th, 1885, as fixes the times for holding said Chancery Court on the first Mondays in April and October, be, and the same is hereby, repealed.

SEC. 3. *Be it further enacted*, That all process issued and bonds taken, returnable to the terms of said court as they now exist by law, shall be deemed and held valid and binding.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 182.

AN ACT to authorize municipal corporations having a population of thirty-six thousand and upwards, under the Federal census of 1880, to issue bonds for water-works purposes.

Authorized to  
issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and City Council of any incorporated city or town in the State of Tennessee having a population of thirty-six thousand inhabitants and upwards, according to the Federal census of 1880, are hereby empowered, in their corporate capacity, to issue the bonds of said city or town, signed by the Mayor and countersigned by the Recorder, with interest coupons attached, which shall be signed by the Treasurer of said city or town, to an amount not exceeding three hundred thousand dollars.

SEC. 2. *Be it further enacted*, That the bonds herein Denomination, maturity, etc. authorized may be executed of the denominations of one hundred, five hundred, and one thousand dollars, and shall mature at such times, not less than five nor more than thirty years, and shall bear such rate of interest, not exceeding six per cent. per annum, payable semi-annually, as may be prescribed by corporate ordinance.

SEC. 3. *Be it further enacted*, That the series of bonds Purpose. herein authorized shall be known as the "Water-works Bonds of 1887," and shall be used exclusively for providing additional water facilities for such city or town, purchasing real estate for water-works, constructing reservoirs, providing engines and pumping machinery, filtering gallery, and aqueduct, purchasing and laying main and supply pipes, and for any other legitimate purpose necessary in furnishing an ample supply of pure and wholesome water to the citizens of said corporation.

SEC. 4. *Be it further enacted*, That for the purpose Authorized to sell bonds. of enabling said corporations to construct said improvements, they are hereby empowered to sell the bonds herein authorized, and apply the proceeds to the payment of said improvements; *Provided, however,* That no bond issued under the provisions of this Act shall be sold for less than its par value.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 188.

AN ACT to regulate the practice in partition cases, and to provide for the expenses of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That in all partition cases in the courts of this State the court may, in its discretion, order the fees of the attorneys for the complainant and defendant to be paid out of the common fund, where the property is sold for partition, and taxed as cost in cases where the property is partitioned in kind.*

SEC. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 24th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 184.

AN ACT to create and regulate the office of Superintendent of Work-house for Knox County.

Superintendent  
of work-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That there shall be elected by the qualified voters of Knox County, a person to be styled the Superintendent of Work-house, who shall hold his office for the term of two years from the date*

of his qualification, and until his successor is elected and qualified.

Sec. 2. *Be it further enacted*, That the first election <sup>First election.</sup> for Superintendent of Work-house shall be held at the same places and by the same officers that other county elections are held, on the first Thursday in August, 1888, and under the same rules and regulations that are prescribed for other county elections, and also subsequent elections (except vacancies, which shall be held whenever they occur, upon giving twenty days' notice), shall be held on the first Thursday in August every two years thereafter, and his commission shall date from the first Monday in September following his election.

Sec. 3. *Be it further enacted*, That it shall be the <sup>Duties of Superintendent.</sup> duty of the Superintendent to keep a well-bound book, in which, as soon as any prisoner is turned over to him, he shall note the name, age, residence, nationality, color, and sex of each prisoner, and the offense for which they were committed, the amount of the fine against each, and the number of days each prisoner is to work, in order to work out his or her fine and costs, allowing him or her twenty-five cents per day of ten hours for a day's work, Sunday excepted, and the number of hours to be worked in the different seasons of the year shall be regulated by the Superintendent. He shall see, in all cases, that each prisoner is discharged and set free as soon as he or she has worked out his or her fine and costs as herein provided. He shall see that all prisoners are properly guarded, so as to prevent escapes; that they are kindly and humanely treated, and properly provided with clothing and wholesome food, properly cooked and prepared for eating; that they are warmly and comfortably housed at night and in inclement weather; the whites and the blacks to be separated, and female prisoners separated from the males. In sickness he is to see that they have proper medicine and medical treatment, and in case of death, that they be decently buried.

Sec. 4. *Be it further enacted*, That he shall have general supervision of the prisoners under him, and shall make instant report of any ill-treatment or cruelty to any prisoner to the County Judge or Chairman of County Court, who shall at once inquire into the matter and have the offender promptly dealt with. He shall also make monthly reports to the <sup>Monthly reports.</sup> *Digitized by Google*

County Judge or Chairman of County Court, and quarterly reports to the County Court, in which reports he shall give a full and detailed statement of all facts, showing the condition of the prisoners, and also the number of prisoners confined at the time of reporting, number pardoned, number escaped, number released after serving out their time, number who paid their costs and were released, number of deaths and cause of death, number of escapes, number sick and cause of sickness; also the sanitary condition of the work-house, and any other reports and recommendations as he may from time to time deem proper for perfecting the system, or bettering the condition of the prisoners. He shall, with the approval of the County Judge or Chairman of County Court, employ all necessary assistants, such as foreman, guards, watchmen, etc. The salary of such assistants must be approved by the County Judge or Chairman of County Court.

**Assistants.**

Superintend-  
ent not to be a  
party to con-  
tracts.

SEC. 5. *Be it further enacted*, That the Superintendent of Work-house shall not either directly or indirectly be a party to the contract for feeding and clothing the county prisoners. The County Court shall provide for the feeding and clothing of the same, but the Superintendent shall inspect the same as provided in Section 3 of this Act.

**Bond.**

SEC. 6. *Be it further enacted*, That the Superintendent of Work-house shall, before entering upon the duties of his office, execute a bond, payable to the county, in the sum of two thousand dollars, with good and sufficient security, to be approved by the County Judge or Chairman of County Court, conditioned for the faithful performance of his duties, and to account for and pay over all moneys that come or should come into his hands according to law.

**Oath.**

SEC. 7. *Be it further enacted*, That the Superintendent of Work-house shall take and subscribe to the following oath in writing: I, \_\_\_\_\_, do solemnly swear that I will faithfully and earnestly discharge all the duties imposed on me by law as Superintendent of Work-house, and that I will not during my term of office, be engaged directly or indirectly in the furnishing of supplies or material for the use of the same, so help me God. Which oath, together with the bond, shall be deposited with the County Judge or Chairman of County Court.

**Sec. 8.** *Be it further enacted*, That his salary be <sup>salary.</sup> paid monthly out of the county treasury upon a warrant of the County Judge or Chairman of County Court, and no salary shall be paid him until after he has made his monthly report, as required by Section 4 of this Act. The salary of the Superintendent shall be twelve hundred dollars per annum, and shall not be increased by the County Court.

**Sec. 9.** *Be it further enacted*, That the guards and <sup>Guards, oath of.</sup> watchmen shall take and subscribe to the following oath, in writing, which shall be filed with the County Judge or Chairman of County Court, and its violation by any of them shall be perjury punishable as in other cases of perjury: I, \_\_\_\_\_, do solemnly swear that I will earnestly and faithfully perform the duties required of me by law; that I will accept no bribe or other compensation during my continuance in office other than such as is now allowed by law, and I will, in all things, perform the duties of said office to the best of my ability, and execute the laws and regulations prescribed for the government of the prison; and that I will, on no occasion, ill-treat or abuse any prisoner under my care beyond the punishment authorized by law or the rules and regulation of the prison.

**Sec. 10.** *Be it further enacted*, That the Superintendent of Work-house shall be subject to the orders <sup>Subject to  
orders of  
County Court.</sup> of the County Court, and must work the prisoners on any road that the County Court so orders, and the Superintendent shall witness all corporal punishment that may be inflicted upon the prisoners.

Passed March 25th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 185.

AN ACT to make it a misdemeanor for a tenant in common or a joint tenant to sell or dispose of personal property belonging to him and his tenant in common or joint tenant, and fail to account for the proceeds thereof, to which his tenant in common or joint tenant may be entitled.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That whenever a tenant in common or joint tenant, having an interest in personal property of any kind whatever, shall without the knowledge or consent of his tenant in common or joint tenant, sell or dispose of such property, and convert the proceeds thereof to his own use, or fail to pay over to his tenant in common or joint tenant the proceeds of such property to which his tenant in common or joint tenant may be entitled, shall be guilty of a misdemeanor, punishable by a fine of twenty-five dollars and imprisonment in the county jail at the discretion of the court trying the cause.

Passed March 25th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 186.

**AN ACT** for the preservation of mutilated records of the Land Office for West Tennessee, at Jackson, and to make certified copies of same legal evidence.

**WHEREAS**, During the late war between the States, volumes six (6) and nine (9), belonging to the records of the Land Office for West Tennessee, at Jackson, were so badly soiled and mutilated as to be unfit for reference; and,

**WHEREAS**, The Register of the Land Office at Jackson has recently been found and reclaimed fifteen hundred and fifty-three (1,553) pages and fragments of said volumes; and,

**WHEREAS**, Said torn, soiled, and scattered pages, with the fragmentary portions of said volumes six and nine, are the muniments of title to lands in every county of West Tennessee, and should be transcribed for future reference and preservation; therefore,

**SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee***, That the Register of the Land Office for West Tennessee, at Jackson, be, and he is hereby, authorized and empowered to purchase two (2) well-bound books, in which he shall cause to be copied all grants remaining of said volumes six and nine, and index the same.

**Sec. 2. *Be it further enacted***, That said grants, when thus transcribed, shall become a part of the records of the Land Office for West Tennessee, and certified copies thereof shall be received as legal evidence in all courts.

**Sec. 3. *Be it further enacted***, That the Register shall be allowed for transcribing said grants, ten cents for each one hundred words, and upon the completion of said work the Register shall certify, under his hand, the cost of both of said books, with indexes, and of transcribing said grants, to the Comptroller, who shall draw his warrant on the State Treasurer for the same, in favor of said Register, after said bill of costs shall have been approved by the Judge and Attorney-General of the Eleventh Judicial Circuit of Tennessee, and that the Register of the Land Office be required

to preserve, in his office, the mutilated leaves and fragments of records found for future reference.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 187.

AN ACT to amend an act entitled "An Act to regulate the business of fire, and all other except life insurance companies.

*Act amended.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 6 of an Act passed by the General Assembly of the State of Tennessee, March 23d, 1875, entitled "An Act to regulate the business of fire, and all other except life insurance companies," be, and the same is hereby, amended so as to read as follows: After the word "dollars" in the last line of said section, add the following: Any person acting for himself or for others, who solicits or procures policies or certificates for or from any company or association that has not complied with this Act, or who, in any manner, aids such transaction, shall be held guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five dollars nor more than fifty, and be imprisoned in the county jail not less than ten days, or both, in the discretion of the court, *Provided, however*, That the Insurance Commissioner shall be authorized to issue to any duly authorized insurance agent of the State, in

consideration of the yearly payment of fifty dollars, in counties of fifty thousand population or more, and twenty-five dollars in counties of less population, fee to the Commissioner, a license which shall be renewed annually on the first of January each year, and subject to revocation at any time, permitting the person or firm named in said license to act as agent or agents, and procure policies of fire insurance for themselves or others, on property in this State in companies which have not complied with the laws of the State; but before any person or firm shall act as agent or <sup>Affidavit.</sup> agents under or by virtue of said license and procure policies in said companies, he or they shall execute an affidavit in duplicate, one of which shall be filed with the Insurance Department and the other in the County Court Clerk's office of the county in which the property proposed to be insured is located, setting forth that the person or corporation desiring insurance is unable to procure the amount of insurance required to protect the said property owned or controlled by the said person, firm, or corporation, from the insurance companies duly authorized to transact business in this State. The agent or agents who, by <sup>Separate account.</sup> virtue of said license, shall place any such insurance or procure policies in any such unrepresented companies, shall keep a separate account thereof, open at all times to the inspection of the Superintendent or Commissioner of Insurance showing (1) the exact amount of such insurance placed for any person, firm, or corporation; (2) gross premiums charged thereon; (3) in what company or companies; (4) the date of the policy, and (5) the term thereof. Each person or firm <sup>Bond.</sup> receiving such license shall, before transacting business as herein authorized, execute and deliver to the Insurance Commissioner a bond to the State in the penal sum of one thousand dollars, with such sureties as the Commissioner shall approve, with a condition that the said agent will faithfully comply with all the requirements of this Act, and will pay to the said Commissioner in January and July of each year the sum of two dollars and fifty cents upon the hundred dollars, and at that rate upon the amount of gross premiums charged to policy-holders upon all policies procured by such agent during the preceding six months pursuant to this Act. It is further provided, <sup>Policies void on account of failure to comply.</sup> that all fire insurance policies issued to residents of this State on property located herein by companies

that have not complied with the requirements of the general insurance laws of the State shall be null and void, and of no effect or force whatever, except such as have been procured in the manner of this Act provided.

Insurance companies of other States, amount of capital stock required.

**SEC. 2. Be it further enacted,** That Section 2 of said Act of 1875 be amended so as to read as follows: "It shall not be lawful for any insurance company, not organized under or incorporated by the laws of this State, to transact any business of insurance in this State through agents, or otherwise, unless possessed of at least two hundred thousand dollars of paid-up actual cash capital, of which at least one hundred thousand dollars shall be invested in bonds of the United States, or some one or more of the States, or other good securities, to be certified as such by the Insurance Commissioner of the State in which said company is organized, reckoning the same at their current market value; nor until such company, in addition to the other requirements of this Act, shall have filed with the Commissioner of Insurance a written instrument, duly signed and sealed, authorizing said Commissioner to acknowledge service of process for and in behalf of such company in this State, consenting that service of process, *mesne* or final, upon such Commissioner shall be taken and held as valid as if served upon the company according to the laws of this State or any other State, and waiving all claim or writ of error by reason of such acknowledgement of service; and any process issued by any court of record in this State, and served upon such Commissioner by the proper officer of the county in which said Commissioner may have his office, shall be deemed a sufficient process on said company.

Conflicting laws repealed.

**SEC. 3. Be it further enacted,** That all laws or parts of laws in conflict with this Act be, and the same are hereby, repealed.

Insurance companies of this State, amount of capital stock required.

**SEC. 4. Be it further enacted,** That from and after the passage of this Act it shall not be lawful for any insurance company organized under or incorporated by the laws of this State to transact any business of insurance, through agents or otherwise, unless possessed of at least fifty thousand dollars paid-up actual cash capital; it being understood that this section does not apply to companies organized under the laws of this State prior to the passage of this Act.

**SEC. 5. Be it further enacted,** That it shall not be lawful for any person to act as agent or solicit risks, <sup>Penalty for failure to com-</sup> <sup>Act.</sup> or make agreement for the delivery of policies of, or in any way, directly or indirectly, to transact the business of insurance for and on behalf of any company not organized under or incorporated by the laws of this State, except as is provided by this Act, and whoever shall directly or indirectly aid in transacting the insurance business for, or make arrangements for the delivery of the policies of any such company, without such company having first received such certificate of authority, or shall continue to act as agent or otherwise, for any such company, after the revocation by the Insurance Commissioner of such certificates of authority, shall forfeit and pay to the State for each offense the sum of five hundred dollars, and in default of payment of said fine, after conviction, shall be imprisoned in the jail of the county where the offense was committed for a period not exceeding six months, at the discretion of the court.

**SEC. 6. Be it further enacted,** That any person who <sup>Agents, who are.</sup> solicits insurance on behalf of any insurance company not organized under, or incorporated by the laws of this State until such company has fully complied with all the requirements of this Act, and until such company has received from the Commissioner of Insurance of this State the certificate of authority to transact business of insurance in this State, or who takes or transmits other than for himself any application for insurance, or any policy for insurance to or from such company, or who advertises, or otherwise gives notice, that he will receive or transmit the same, or who shall receive or deliver a policy of insurance of any such company, or who shall examine or inspect a risk, or receive, collect or transmit any premium of insurance, or make or form any diagram of any building or buildings, or do or perform any other act or thing in the making or consummating of any contract of insurance with for, or any such insurance company, other than for himself, or who shall examine into or adjust, or aid in adjusting, any loss for or on behalf of any such insurance company, whether any such acts shall be done at the instance or request, or by the employment of such insurance company, or of, or by any broker or other person, shall be held to be the agent of the company for which the act is done or the risk is taken, to all intents and purposes, and

subject to all the duties, requirements, liabilities and penalties set forth in this Act.

Passed March 25th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 188.

AN ACT to provide for the consolidation of proposed railroad lines not competing.

Authority to consolidate.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter it shall be lawful for any railroad corporation existing in this State under a general law, that now has under construction, or proposes to construct and operate and maintain a railroad for the transportation of persons and freights, to consolidate itself with any other railroad corporation that has under construction or proposes to construct and operate and maintain another railroad for the transportation of persons and freights.

Must be approved by a majority of stockholders.

SEC. 2. *Be it further enacted,* That the consolidation herein provided for shall not have effect until the terms and conditions of the agreement shall have been approved by a majority of the stockholders of each of the consolidating companies at a regular annual meeting, or at a called meeting, called for that purpose.

Does not apply to competing lines.

SEC. 3. *Be it further enacted,* That the terms and provisions of this Act shall not apply to corporations whose proposed railroad line or lines now being constructed, shall run parallel to each other, or in anywise compete with each other for the transportation

of persons and freights from or to the same points. It being the intention to apply the terms and provisions of this Act, and extend the privileges herein granted, to such corporations as now have, or may hereafter have under construction, or propose to construct, such railroad lines as, when consolidated, they will form one continuous line, or one will be but an extension of another or others.

Sec. 4. *Be it further enacted*, That the provisions of this Act shall apply to railroads under construction, or proposed to be constructed, which, when completed, are to be connected, and form one continuous line in this or other States; *Provided*, That the part of the road so consolidated lying in this State shall be subject to the jurisdiction of the State in its legislative and judicial departments to the same extent as if no such consolidation had been made.

Sec. 5. *Be it further enacted*, That all laws and parts of laws in conflict with this Act are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 189.

AN ACT to extend Section 1263, and the sections following, down to and including Section 1272, of the Acts of Tennessee, as compiled by Milliken & Vertrees, to Street Railroad Companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the provisions for the consolidation of railroads, contained in Section 1263, and

the sections following, down to and including Section 1272, of the Acts of Tennessee, compiled by Milliken & Vertrees, said Acts referred to in the caption, be hereby declared to embrace and extend to any street railroad corporations existing in this State; and to give every such street railroad corporation the power to consolidate itself with any other such street railroad corporation, where the road shall connect with or intersect the road of such a street railroad corporation, or any branch thereof, in accordance with said sections; *Provided*, That nothing in this Act shall be construed to renew or extend the charter of either of said street car companies, in favor either of the original or consolidated company; *And provided further*, That nothing in this Act shall be taken or construed to have any effect whatsoever upon any litigation now pending between the State and either of said street car companies, or between the municipality in which the same is located and either of said companies; *Provided further*, That nothing contained in this Act shall be construed to in any way enlarge or control the rights that towns and cities now have by existing laws over their streets, alleys, or sidewalks without their consent.

SEC. 2. *Be it further enacted*, That consolidations of such street railroad companies made previous to the passage of this Act are hereby ratified and confirmed to the extent of the provisions of the said sections of said Code.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 190.

### AN ACT to define the powers of corporations.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee—*

First—That any company incorporated under the laws of this State having, by its charter, the right to receive moneys in trust or otherwise, shall be held to have, and shall have, the power, after the passage of this Act, to receive deposits and loan the same and its capital on any kind of a commercial or business paper or real estate, buy and sell exchange, and all kinds of public or private securities and commercial paper.

Second—That the exercise of any of the foregoing powers by any corporation created or incorporated or chartered under the laws of this State, shall not operate to forfeit or effect any franchise, right, power, privilege, or immunity granted to such corporation in and by its charter.

Third—That the non-user or any company incorporated in this State of a part of its power, privileges, or franchises, shall not have the effect to forfeit or to affect any franchise, right, power, privilege, or immunity contained in its charter.

**Sec. 2.** *Be it further enacted,* That the public welfare requiring it, this Act shall take effect from and after its passage.

Passed March 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 191.

AN ACT for the relief of Whitesburg and Galbraith Springs Railroad Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the prospective railroad now or soon to be chartered under the laws of this State, known as the Whitesburg and Galbraith Springs Railroad, extending from Whitesburg, in Hamblen County, and Galbraith Springs, in Hawkins County, be, and the same is hereby, released and exempted from taxation for the period of twenty years, said period to be computed from the date of the passage of this Act.*

Passed March 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 192.

AN ACT to change the line between the counties of DeKalb and Putnam.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the line between the counties of DeKalb and Putnam be so changed as to include that portion of the lands of F. H. Smith now lying in Putnam County, as to include or attach the same to the Sixteenth District of DeKalb County.*

**SEC. 2. Be it further enacted,** That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 193.

**AN ACT** to change the line between the counties of DeKalb and White.

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee,** That the line between the counties of DeKalb and White be so changed as to include the lands of John Eldridge in White County.

**SEC. 2. Be it further enacted,** That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 194.

### AN ACT to change the line between Crockett and Dyer Counties.

*SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the line between the counties of Crockett and Dyer, at the point where it crosses the lands of J. A. Sudberry and John Hall, near Chestnut Bluff, be, and the same is hereby, so altered and changed as to include all of the home tract of land of J. A. Sudberry in Dyer County, and to include all of the adjoining tract of land belonging to John Hall within Crockett County.*

*Sec. 2. Be it further enacted, That all laws and parts of laws heretofore enacted, defining the limits and bounds of Crockett and Dyer Counties, be, and the same are hereby, so amended, as to comply with the provisions of this Act.*

*Sec. 3. Be it further enacted, That all laws or parts of laws in conflict with the provisions of this Act be, and the same are hereby, repealed.*

*Sec. 4. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR.  
*Governor.*

## CHAPTER 195.

**AN ACT** to change the county line between the counties of Overton and Putnam.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the line between the counties of Overton and Putnam be, and the same is hereby, so changed as to include the lands of A. P. Warren within the limits of Putnam County.*

**Sec. 2.** *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 196.

**AN ACT** to change the line between the counties of Monroe and Loudon, and the line between Monroe County and McMinn County.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the line between the counties of Monroe and Loudon be so changed as to include the lands of Louisa Gay in Monroe County, and the lands of John Miller, J. E. Scrimsher, Joseph Sewell, and David Miney, in Loudon County.*

**Sec. 2.** *Be it further enacted, That the line between Monroe County and McMinn County be so changed*

as to include the lands of Samuel Richee, Hannah Joines, James Land, Samuel Land, and Andrew Morgan, in Monroe County.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 197.

AN ACT to amend the statute embraced in Sections 1720 and 1721, Milliken & Vertrees' Code.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the statute embraced in Sections 1720 and 1721 of Milliken & Vertrees' Code be so amended as to allow all corporations whose charters expire or have expired by their own limitation, and who exist by virtue of said statute for the term of five years after said expiration, for the purpose of prosecuting or defending suits by or against them, settling their business, disposing of their property, and dividing their capital stock, to continue the corporate business for which they were created during the said term of five years, but no longer.

Sec. 2. *Be it further enacted*, That all such corporations shall, during the term of five years mentioned in the first section of this Act, but no longer, possess all powers, rights, and privileges conferred upon them, and shall, during said period, be subject to all penalties and restrictions of their original charters.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 198.

AN ACT to empower corporations to lease and dispose of their property and franchises.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all corporations now or hereafter existing under the laws of this State, whether incorporated under special or general laws of the State, shall have the power, and they are hereby authorized and empowered, to lease and dispose of their property and franchises, or any part thereof, to any corporation of this or any other State engaged in or carrying on, or authorized by its charter to carry on in this or any other State the same general business as is authorized by the charter of any such lessor corporation; and said corporations shall likewise have the power, and are hereby authorized, to make any contract for the use, enjoyment, and operation of their property and franchises, or any part thereof, with any such other corporation of this or any other State, on such terms and conditions as may be agreed upon between the contracting corporations; and such lessee corporation or corporations is authorized and empowered to make and carry out such leases and contracts; *Provided, however, That any such leases*

Must be approved by a majority of stock.

Notice.

Does not apply to competing lines.

or contracts, when made by or under the direction of the Boards of Directors of the contracting corporations, shall be authorized or approved by the vote of a majority, in amount, of the stock of the lessor corporation present or represented at a regular or called meeting of the stockholders of said corporation; *And provided further*, That sixty days' notice of such meeting be given in a Memphis, Knoxville, and Nashville daily newspaper of the time, place, and purpose of such meeting; *And provided further*, That where the lessee corporation is a corporation of this State, the authority or approval of its stockholders shall in like manner be obtained to the contract or lease; *And provided further*, That this Act shall not be so construed as to authorize any corporation of this or any other State to lease or purchase any railroad and line that is a competitor for the same business with any line already owned or under control, by lease or otherwise, or two lines of railway that are competitors for the same business in this State.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP.  
*Speaker of the House of Representatives.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 199.

### AN ACT to charter fair associations.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That to promote agriculture, horticulture, and mechanical arts, and to improve the stock of the country, a charter of incorporation may be granted to any association of individuals for this purpose.

SEC. 2. *Be it further enacted,* That the form of a charter shall be as follows:

#### STATE OF TENNESSEE—CHARTER OF INCORPORATION.

*Be it known,* That [here fill this blank with the names of five or more persons who desire to be incorporated], are hereby constituted a body politic and corporate by the name and style of [here fill the blank with the name of the corporation and state the general purpose for which the charter is sought, embracing a full, but not necessarily minute, account of the objects of the association].

The general powers of said corporation are [here insert Section 1704 of Milliken & Vertrees' Code]; and the following provisions and restrictions are complied with said grant of powers: [Here copy Sections 1705, 1706, 1707, 1708, 1709, and 1711 of Milliken & Vertrees' Code].

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 200.

AN ACT to repeal Sections 9 and 10 of Chapter 234 of the Acts of 1883, entitled "An Act to amend the charter of the city of Chattanooga, Tennessee, and all acts heretofore passed amendatory thereof."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Sections 9 and 10 of Chapter 234 of the Acts, passed March 29th, 1883, entitled "An Act to amend the charter of the city of Chattanooga, Tennessee," be, and the same are hereby, repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 201.

AN ACT to amend Section 5 of an act passed June 11th, 1886, so as to detach Coffee County from the Third Chancery Division and attach said county to the Fourth Chancery Division of the State of Tennessee, and to fix the time of holding the courts thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Coffee County is hereby detached from the Third Chancery Division of the State of Tennessee, and attached to the Fourth Chancery Division.

SEC. 2. *Be it further enacted*, That the Chancery Court of said county be held on the second Mondays of February and August.

SEC. 3. *Be it further enacted*, That all acts or parts of acts in conflict with this Act be, and they are hereby, repealed.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 202.

AN ACT to change the line between the counties of Meigs and McMinn.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Meigs and McMinn be, and the same is hereby, changed so as to include the farm of —— Carroll, and Nelsey Stanton, in the Sixth District of Meigs County, in the county of McMinn, said line to run around said farms with line of said farms.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 203.

AN ACT to change the county line between White and Putnam Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the county line between the counties of White and Putnam be so changed as to commence on a bluff a few rods east of the mouth of Pigeon Roost Creek, and to run east up the Falling Water River to where said county line crosses said Falling Water making the bed of said river (Falling Water) the dividing line.*

SEC. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 204.

AN ACT to change the line between the counties of Lawrence and Wayne.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the line between the counties of Lawrence and Wayne be so changed as*

to include all of the lands of John Bromley and James V. Gallaker in the county of Wayne.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 205.

**A**N ACT to change the county line between the counties of Giles and Maury.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county line between the counties of Giles and Maury be so changed, as follows: Beginning at an oak tree, the corner of the said counties, about four hundred (400) yards south of W. J. Henson's house, running thence south  $6^{\circ} 5'$  west 380 poles to black oak, thence north  $45^{\circ}$  west 260 poles to old line, containing in all about eight hundred and forty-two (842) acres of land.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 206.

### AN ACT to protect miners in the coal and mineral regions of this State.

**Right of miners to employ check-weigh-man or check-measurer.** SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That at every coal or other mine in this State where coal or other minerals are mined, by weight or measure, the miners, or a majority of those present at a meeting called for that purpose, shall have the right to employ a competent person as check-weighman or check-measurer, as the case may require, who shall be permitted at all times to be present at the weighing or measuring of coal, also have power to weigh or measure the same, and during the regular working hours to have the privilege to balance and examine the scales or measure the cars; Provided, That all such balancing or examination of scales shall only be done in such way, and in such time, as in no way to interfere with the regular working of the mines, and he shall not be considered a trespasser during working hours while attending to the interest of his employers, and in no manner shall he be interfered with or intimidated by any person, agent, owner, or miner; and any person violating these provisions shall be held and deemed guilty of a misdemeanor, and upon conviction thereof he shall be punished by a fine of not less than twenty dollars, and not exceeding one hundred dollars, or imprisoned at the discretion of the court.*

**Not to be considered a trespasser.**

**Duty of check-weighman or check-measurer.**

SEC. 2. *Be it further enacted, That it shall be a further duty of check-weighman or check-measurer to credit each miner with all merchantable coal or other mineral mined by him, on a proper sheet or book kept by him for that purpose. When differences arise between the check-weighman or check-measurer and the agent or owners of the mine, as to the uniformity, capacity of scales or cars used, the same shall be referred to the Mine Inspector of the district where the mine is located, whose duty it shall be to regulate the same at once, and in the event of said scales or cars proving to be correct, then the party or parties applying for the testing thereof to pay or bear all costs and expenses thereof; but if not correct, then*

the owner or owners of said mine to pay the cost and charges of making said examination.

Sec. 3. *Be it further enacted*, That should any weigh-man, agent, or check-measurer, whether employed by operators or miners, knowingly or willfully adopt or take more or less pounds for a bushel or ton than is now provided for by law or willfully neglect the balancing or examining of the scales or cars, or knowingly and willfully weigh coal with an incorrect scale, he shall be guilty of a misdemeanor, and upon conviction thereof shall be imprisoned in the county jail for not less than three months.

Fraud in weigh-  
ing or measur-  
ing a misde-  
meanor.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 207.

AN ACT to change the lines between the counties of Bedford and Coffee

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the lines between the counties of Bedford and Coffee be so changed as to include all the lands of W. B. Smith and Mrs. Sarah Syers in the county of Bedford.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 208.

AN ACT to prevent joint stock companies, associations, and corporations organized or chartered under the laws of this State, or doing business or operated in this State, from impairing or infringing upon the rights, privileges, and liberties of their servants and employees.

*As to voting in elections.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any joint stock company, association, or corporation, organized, chartered, or incorporated by and under the laws of this State, or operated or doing business in this State under its laws, either as owner or lessee, having persons in their service as employes, to discharge any employe or employes, or to threaten to discharge any employe or employes in their service for voting or for not voting in any election, State, county, or municipal, for any person as candidate or measure submitted to a vote of the people, or to threaten to discharge any such employe or employes for trading or dealing, or for not trading or dealing as a customer or patron with any particular merchant or other person or class of persons in any business calling, or to notify any employe or employes either by general or special notice, directly or indirectly,

*As to trading with particular merchants.*

secretly or openly given, not to trade or deal as customer or patron with any particular merchant or person or class of persons, in any business or calling, under penalty of being discharged from the service of such joint stock company, corporation or association doing business in this State as aforesaid.

**Sec. 2.** *Be it further enacted*, That any joint stock company, association, or corporation organized, chartered, or incorporated under the laws of this State, or operated in this State violating any of the provisions of the foregoing section, shall be guilty of a misdemeanor, and on conviction shall pay a fine of not less than one hundred dollars and not more than one thousand dollars, for each offense for which convicted. Penalty for violation.

**Sec. 3.** *Be it further enacted*, That any person acting As to officers or agents. as an officer or agent of any joint stock companies, associations, or corporations of the kind and character hereinbefore described, or for any one of them, who makes or executes any notice, order, or threat of the kind and character hereinbefore forbidden, shall be guilty of a misdemeanor, and on conviction shall pay a fine of not less than one hundred dollars and not more than five hundred dollars, and be imprisoned in county jail not less than ten days nor more than three months.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 209.

**AN ACT** to compel all firms, corporations, companies that are engaged in mining, manufacturing, or any other business, that use scrip or checks, to redeem their own scrip or checks in lawful currency of the United States at least once every thirty days.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this Act it shall be unlawful for any person or persons, firms, or corporations, or companies to refuse to cash any checks or scrip of their own that may be presented it within thirty days of its date of issuance.

**SEC. 2.** *Be it further enacted,* That any person or persons, firms, companies, or corporations who shall refuse to redeem in lawful currency any such checks or scrip, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten nor more than twenty-five dollars for each offense; *Provided,* That this Act shall not be construed as authorizing or legalizing the issuance of scrip.

**SEC. 3.** *Be it further enacted,* That all laws conflicting with this Act be, and the same are hereby, repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 210.

**AN ACT** to authorize the Mayor and Aldermen of the town of Gallatin, Sumner County, to provide water-works for said town, and to take stock in, or lend its credit, to a water-works company for the benefit of said town, and to issue bonds therefor.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Gallatin are hereby authorized and empowered to erect suitable water-works and to provide suitable water-works for the use of said town of Gallatin and its inhabitants, and to purchase or condemn a site or location for the same, either within or without the corporate limits of said town.

**Sec. 2.** *Be it further enacted,* That in order to provide said water-works, said Mayor and Aldermen of the town of Gallatin are authorized and empowered to lend its credit to, or take stock in, an incorporated company organized within said town, for the purpose of furnishing and supplying said town and its inhabitants with water, to the extent of the sum of forty thousand dollars, or to erect said water-works for the use and benefit of said town, at the cost and expense of said town; and in either case to issue bonds to an amount not exceeding forty thousand dollars, bearing interest at the rate of six per cent. per annum, payable semi-annually; said bonds to be payable in twenty years, or sooner, at the option of the Mayor and Aldermen of the town of Gallatin, and shall be designated as "Water-works" bonds, and shall constitute and be a first lien on said water-works and apparatus.

**Sec. 3.** *Be it further enacted,* That the Mayor and Aldermen of the town of Gallatin are empowered to take and appropriate such land or grounds as they may choose, for the location of said water-works, either within or without the corporate limits of said town for a site for water-works purposes, for pumping station or reservoir, right of way from the town to the pumping station or reservoir, for water-pipe, upon payment of damages; to exercise this power the Mayor and Aldermen shall, by ordinance, designate the grounds to be appropriated, and appropriate

Authorized to  
erect water-  
works.

Authorized to  
lend its credit.

Authorized to  
condemn prop-  
erty.

the same as provided for "taking private property for works of internal improvements," by Sections 1549 to 1571 (Milliken & Vertrees') Code.

To be submitted to the legal voters of the town.

Sec. 4. *Be it further enacted*, That before said Mayor and Aldermen shall take stock in or lend the credit of said town to a water-works company, or proceed to erect said water-works, or condemn land, or purchase sites therefor, or issue bonds, or levy any tax for the purchase or erection of the same, the said Mayor and Aldermen shall first, by ordinance, submit the question to the legal voters of said town, as to whether they will have said water-works, those favoring, voting "water-works," those opposed, voting "no water-works;" and at the same time, the amount of the bonds to be issued and tax to be levied for water-works purposes, shall be submitted to and voted on by the legal voters of said town, and it shall require the consent of two-thirds of the votes cast at said election to authorize the erection of said water-works, or taking stock therein, and to levy a tax and issue bonds for the same.

Sec. 5. *Be it further enacted*, That this Act take effect from, and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 211.

**AN ACT** to amend Section 4780 the Code of Tennessee (Milliken & Vertrees).

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That Section 4780 of the Code of Tennessee (Milliken & Vertrees) be, and the same is hereby, amended so as to include all officers, non-commissioned officers, musicians, privates, and contributing honorary members of the National Guard of the State of Tennessee; *Provided,* That the member claiming exemption exhibits his certificate of membership, signed by his commanding officer, certifying that the said member is enrolled and enlisted in his company or battery.

**SEC. 2.** *Be it further enacted,* That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 212.

**AN ACT** to change the line between the counties of Overton and Putnam.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Overton and Putnam be so changed that the

lands of A. J. Poteet be included in the county limits of Overton County.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 218.

AN ACT to change the time of holding the Circuit Courts in the counties of Rutherford, Bedford, and Marshall, and to change the time of holding the Chancery Court in the county of Marshall, and to amend Chapter 20, Sections 4 and 5 of the Acts of the extra session of 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Circuit Courts for Rutherford County be held on Tuesday after the fourth Mondays in February, June, and October; in Bedford County on Tuesday after the first Mondays in April, August, and December; in Marshall County on Tuesday after the second Mondays of March, July, and November.

SEC. 2. *Be it further enacted*, That the Chancery Court for the county of Marshall be held on Tuesday after the first Mondays of June and December.

SEC. 3. *Be further enacted*, That the Judge of the Circuit Courts shall fix a day when the criminal business of Marshall County shall be taken up, which may be changed from time to time as the public interest may require.

**SEC. 4. Be it further enacted,** That this Act take effect in the several counties after the next term of the respective courts in said counties to be held after the 25th day of February, 1887.

**SEC. 5. Be it further enacted,** That all laws or parts of laws in conflict with this Act are hereby repealed.

Passed March 28th, 1887.

**Z. W. EWING.**

*Speaker of the Senate.*

**W. L. CLAPP,**

*Speaker of the House of Representatives.*

Approved, March 29th, 1887.

**ROBT. L. TAYLOR,**

*Governor.*

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## CHAPTER 214.

**AN ACT** to authorize and empower the Charleston, Cincinnati & Chicago Railroad Company to construct, build, and operate its road, and pledge its property, sue and be sued, as other like railroads under the laws of Tennessee.

WHEREAS, The Charleston, Cincinnati & Chicago Railroad Company, a corporation chartered by the laws of the State of South Carolina, and the Rutherford Railway Construction Company and the Rutherford, Marion & Tennessee Railway corporations, chartered by the laws of the State of North Carolina, have been consolidated in conformity with the statutes of said States, under the name of the Charleston, Cincinnati & Chicago Railroad Company; and,

WHEREAS, The Legislature of South Carolina has, by statute approved December 24th, 1886, recognized, confirmed, and validated said consolidation; and,

WHEREAS, The Legislature of North Carolina has, by an act ratified the 17th of February, 1887, also recognized, confirmed, and validated said consolidation, with its consolidation capital stock of fifteen

millions of dollars, and conferred additional powers on said consolidated railway company; and,

WHEREAS, The Charleston, Cincinnati & Chicago Railroad Company desires to extend its road through the States of Tennessee, Virginia, and Kentucky to the Ohio River, on a continuous line from the sea-coast to said river; now, therefore,

Authorized to extend road through this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the Charleston, Cincinnati & Chicago Railroad Company is hereby authorized and empowered to extend, construct, and operate its road from a point on the State line of North Carolina through or across the State of Tennessee, by or near Johnson City, to some point on the State line of Virginia, and to that end may enter upon lands and survey its route, and condemn lands for the tracks, depots, machine shops, and other appurtenances, as provided in the general law of the State applicable to other like corporations.*

Powers.

SEC. 2. *Be it further enacted, That said corporation may sue and be sued, contract and be contracted with, and convey, purchase, and receive, by gift or otherwise, real and personal property by its corporate name, and have a common seal and exercise all the general powers of a corporation of like kind. It may execute mortgages on its property and franchises to secure its debts, and the registration of the same in the county of Washington shall be sufficient registration of the mortgage. It may purchase or lease any other railroad, or purchase the stock and bonds of any other corporate company, or guarantee the stocks and bonds of any other railroad or corporation, or consolidate with any other railroad company or companies in South Carolina, North Carolina, Virginia, Kentucky, and Ohio; or lease or farm out its road and property, or the right of transportation over it. It may construct branches to any place, mine, or manufactory where the tonnage and income will justify their construction; may construct and operate telegraph lines along or near its right of way, or contract with other persons or corporations to construct or operate the same, or contract for the use and operation of telephones and other like apparatus.*

Subject to suit in the courts of this State.

SEC. 3. *Be it further enacted, That said company shall have all the powers and privileges conferred on other railroad companies by the general laws of the*

State, and be subject to suit in the courts of this State, and to all liabilities of other like corporations under the laws of Tennessee.

Sec. 4. *Be it further enacted*, That this Act shall be in force from and after its passage.

Passed March 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 215.

AN ACT to amend the charter of the Lebanon and Sparta Turnpike Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 240, pages 357 and 358, of the Acts of 1837-8, incorporating the Lebanon and Sparta Turnpike Company, be, and is hereby, amended so as to require the road-bed to be twenty feet in width between the residence of Mrs. Williams and Snow's Hill, on the twenty-ninth mile of said turnpike, making it the same width as the road on Snow's Hill.

Sec. 2. *Be it further enacted*, That said turnpike company be, and is hereby, authorized and empowered to sell and convey one or more of their gates, and the road-bed therewith, and the franchises and privileges belonging thereto, to the County of DeKalb or any citizens thereof, on such terms as may be agreed on by the contracting parties.

*Sec. 3. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 216.

AN ACT to establish a school district in the County of Wilson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That an additional school district be established in Wilson County with the following boundaries: Beginning at the ford in Barton's Creek below Boswell's Mill; thence South with said creek to a point opposite the line between the lands of J. B. and Miss P. Tolliver; thence south to a point in the McMurray farm that would be directly west of Berry Johnson's south line; thence with the road south of J. M. Ramsey's to intercept the Lebanon and Cole's Ferry Pike at J. A. Hayes'; thence north with Grigsby's east boundary to the land of J. A. Woolard, continuing a northern direction, so as to include the lands of John Hally and R. M. Mabry, and intersecting Cedar Grove Road at Mrs. Harper's northeast corner; thence west, with said road, to W. H. Smith's north line, continuing with said line to McFarland's northeast corner; thence with said north line to W. H. Johnson's southeast corner; thence north to William Watson's northeast corner; thence with the road leading to Cairo by Boswell's Mill to William Lawrence's southeast corner; thence north*

with said Lawrence's line to his northeast corner; thence west to the creek; thence with the said creek to the beginning.

**Sec. 2.** *Be it further enacted*, That the school district created by the first section of this Act have all the emoluments, rights, privileges, and to be governed by the same laws and rules and officers, that regulate and govern the other districts of the county; and the Sheriff shall hold an election on the regularly appointed days for the purpose of electing School Directors for said district.

**Sec. 3.** *Be it further enacted*, That this Act take effect from and after its passage, the public good requiring it.

Passed March 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 217.

**AN ACT** to permit parties litigant in courts of record to have a stenographer.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee*, That upon the trial of any cause or proceeding in any court of record, of this State, upon the request of either party, the Judge of said court shall appoint a competent stenographer, who shall first be duly sworn to make a true, impartial, and complete stenographic report of all the oral testimony given in trial of said cause or proceeding, as well as the rulings of the Judge, and in case of an appeal to a higher court, a transcript of

his said stenographic notes shall constitute a part of the bill of exceptions in said cause or proceeding.

Sec. 2. *Be it further enacted*, That the party aloneat whose instance said stenographer was employed, shall be responsible for his compensation for the work done by him.

Sec. 3. *Be it further enacted*, That the court or Judge before whom any cause is tried in which such stenographer is employed, shall have the right and power to revise and correct the report so made before it becomes part of the bill of exceptions.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 218.

AN ACT to amend an act entitled "A Bill to established taxing districts in this State, and to provide the means of local government for the same," being Chapter 11, of the Acts of 1879.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of the act aforesaid as relates to the salary of the President of the Board of Fire and Police Commissioners be amended to read as follows: The salary of the President of the Board of Fire and Police Commissioners shall be fixed by the Legislative Council at not less than two thousand dollars nor more than three thousand dollars per annum, payable in monthly installments; the

salary when first fixed under this Act shall continue to the first day of January, 1888, and shall thereafter be fixed annually by the Legislative Council within the limits aforesaid.

Sec. 2. *Be it further enacted*, That all acts and parts of acts in conflict with the foregoing amendments be, and the same are hereby, repealed.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 219.

AN ACT to confirm and amend the charter of the Gallatin, Murfreesboro and Birmingham Railway Company, and to change its name, and to allow the same to consolidate with a railroad now beginning at Sheffield, in the State of Alabama, so as to make a continuous road.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the Gallatin, Murfreesboro and Birmingham Railway Company, granted under the general laws of the State, and by virtue whereof said company has been duly and legally organized, the same is hereby ratified and confirmed.

Sec. 2. *Be it further enacted*, That the corporate name of said company is hereby changed to the name and style of Gallatin, Murfreesboro, Florence and Sheffield Railway Company.

Sec. 3. *Be it further enacted*, That in addition to the general corporate powers already possessed by said company, it is hereby granted the power to consolidate with, purchase, lease, own, or operate a railroad chartered or to be chartered by the State of Alabama, commencing at the town of Sheffield, in said State, and to extend into the State of Tennessee to meet this road so as to make one continuous line.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 220.

AN ACT empowering the Treasurer of the University of Tennessee to accept and apply certain grants of money authorized by an act of the United States Congress, approved March 3d, 1887, and entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2d, 1862, and of acts supplementary thereto"

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the State of Tennessee hereby assents to the conditions of an act of the United States Congress, approved March 3d, 1887, entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2d, 1862, and of acts supplementary thereto," and authorizes the Treasurer of the University of Tennessee to accept any grants of money au-

thorized by that act in the State of Tennessee, and to give his official receipt for the same.

Sec. 2. *Be it further enacted*, That said grants of money to Tennessee shall, as a part of the Agricultural Fund, be committed to the trustees of the University of Tennessee, now in charge of the State experiment station, there to be applied as the said act of Congress directs, and all results and expenditures shall be reported in accordance with the provisions of the act making the grants which are hereby accepted.

Sec. 3. *Be it further enacted*, That all laws in conflict with this Act be, and the same are hereby, repealed.

Passed March 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 221.

AN ACT to authorize the Trustees of Nourse Seminary, or Nourse Female Academy, to transfer, by quit-claim deed, said academy property to Dibrell Normal Institute.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Trustees of Nourse Female Academy be, and are hereby authorized, to transfer the Nourse Female Academy grounds, located at Sparta, White County, Tennessee, to the Dibrell Normal Institute of the same town and county, and make a quit-claim deed to the same, con-

veying all of the right, title, interest, and claim of the State of Tennessee to said property.

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 222.

AN ACT to amend the sixth section of an act entitled "An Act to authorize the County Court of Cocke County to issue bonds to build a Court-house, and to fund past indebtedness," approved March 2d, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the sixth section of the aforesaid Act be, and the same is hereby, so amended that the County Court of Cocke County may fund its indebtedness up to the present time, and issue bonds and levy a tax for payment of the same, as provided in the act this is intended to amend.

SEC. 2. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed February 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 223.

**AN ACT to defray the current expenses of the regular session of the Forty-fifth General Assembly, and to defray the current expenses of the State Government for the next two years.**

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee,** That to defray the current expenses of the regular session of the Forty-fifth General Assembly, and to defray the current expenses of the State Government for two years, commencing March 19th, 1887, the following appropriations are made for the following purposes, and none other, which are to be paid out of the Treasury on the warrant of the Comptroller, or so much thereof as may become necessary in the administration of the State Government, and the Comptroller shall not issue his warrant upon the Treasurer for any other or more money, except on accounts where the appropriation has been made by law.

### CRIMINAL AND STATE PROSECUTIONS.

Criminal and  
State prosecu-  
tions.

(Costs accrued on behalf of the State.)

Fees of Clerks, Magistrates,	
Sheriffs, witnesses etc.....	\$230,000 00
Fees of District Attorneys-	
General.....	20,000 00
Jail fees.....	90,000 00
Boarding juries.....	20,000 00
Deficit since December 19th, 1886 (already issued) .....	41,000 00
	—————
	\$401,000 00
Arresting fugitives.....	2,500 00
Lunatics to Asylum.....	500 00

### JUDICIAL SALARIES.

Judicial sala-  
ries.

Supreme Judges (5), at \$3,500 per annum.....	\$35,000 00
Chancery Judges (11), at \$2,500 per annum.....	55,000 00
Circuit Judges (14), at \$2,500 per annum.....	70,000 00

Criminal Judges (3), at \$2,500 per annum.....	\$15,000 00
Criminal Judge (1), at \$1,250 per annum.....	2,500 00
	<u>177,500 00</u>
Attorney-General and Reporter's salary, \$8,000 per annum.....	6,000 00
Funding Board expenses as allowed by law.	

EXECUTIVE SALARIES.

Executive salaries.	
Governor, at \$4,000 per annum	\$8,000 00
Comptroller, at \$2,750 per annum.....	5,500 00
Treasurer, at \$2,700 per annum	5,400 00
Secretary of State, at \$1,800 per annum.....	3,600 00
	<u>\$22,500 00</u>
Comptroller's first Clerk, at \$1,800 per annum.....	\$8,600 00
Comptroller's second Clerk, at \$1,000 per annum.....	2,000 00
	<u>\$5,600 00</u>
Treasurer's Clerk, at \$1,800 per annum...	3,600 00
Funding Board Clerk, \$125 per month so long as em- ployed.	
Adjutant-General's salary, \$1,200 per annum .....	\$2,400 00
Secretary of State's Clerk, \$1,000 per annum .....	2,000 00
Clerical assistance to Governor, \$750 per annum .....	1,500 00
Superintendent for Hospital for Insane, Middle Tennessee, \$2,000 per annum...	4,000 00
Superintendent for Hospital for Insane, East Tennessee, \$2,000 per annum.....	4,000 00
State Librarian's salary, \$1,000 per annum	2,000 00
Assistant Librarian's salary, \$500 per annum .....	1,000 00
Superintendent of Capitol salary, \$1,001 per annum.....	2,002 00

OFFICERS OF PENITENTIARY'S SALARIES.

Officers of Pen- itentiary's sal- aries.	Salary Superintendent, \$2,000 per annum.....	\$4,000 00
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Salary Warden, \$1,500 per annum.....	\$ 3,000 00
Salary Deputy Warden, \$1,200 per annum.....	2,400 00
Salary Physician, \$1,000 per annum.....	2,000 00
Salary Chaplain, \$300 per annum.....	600 00
	—————
	\$12,000 00

LEGISLATIVE EXPENSES.

Mileage and per diem of members, on schedule below. Legislative expenses.  
Mileage and per diem of officers, on schedule below. Legislative expenses.  
Printing, miscellaneous stationery, etc..... \$3,000 00

EXECUTIVE EXPENSE.

Executive expense.

Books, blanks, stationery, etc., for the four officers .....	\$3,000 00
For repairing and fitting up additional bins to file records in the Comptroller's office, and refiling old records in alphabetical order by counties.....	500 00
	—————
	\$3,500 00

CAPITOL EXPENSE.

Capitol expense.

Gas, fuel, water, etc., \$1,000; coal, \$1,000.....	\$2,000 00
Deficit for last two years, already drawn.....	3,000 00
One porter for Governor and Secretary of State at \$540 per annum .....	\$1,080 00
Two porters for other officers and general work, to be under control of Superintendent of Capitol, at \$360 per annum .....	1,440 00
Landscape gardener, \$600 per annum .....	1,200 00
One night watchman, \$480 per annum .....	960 00
	—————
	\$9,400 00

## SUPREME COURT EXPENSES.

Supreme Court expenses.	East, Middle, and West Tennessee.....	\$8,000 00
	Repairs Supreme Court-room at Jackson, as per bill.. .....	1,200 00
	Railroad assessment.....	\$9,200 00
		4,000 00

## PUBLIC PRINTING.

Public printing. Publishing Treasurer's quarterly report.....	\$1,600 00
Messages and reports of various offices.....	2,000 00
Publishing Acts, Journals, etc	3,000 00
Assessment blanks.....	3,000 00
	<hr/>
Library expenses.....	200 00

## COMMON SCHOOLS.

Common schools.	Superintendent of Public Instruction, salary \$2,000.....	\$4,000 00
	Clerk of Superintendent, \$500 per annum.....	1,000 00
	Interest on School Fund.....	295,000 00
		<u>\$300,000 00</u>
	Interest on Spencer T. Hunt Fund to July 1st, 1889, \$1,161.....	1,161 00

STATE NORMAL COLLEGE.

State Normal College.	Per annum, \$10,000.....	\$20,000 00
	Per annum for Colored De- partment, \$1,500.....	3,000 00
		_____
		\$23,000 00

## CHARITABLE INSTITUTIONS.

Charitable institutions.	Hospital for Insane, Middle Tennessee, 350 patients, at \$170 each, per annum, \$59,- 500.....	\$119,000 00
	Hospital for Insane, East Tennessee, 235 patients, at \$170 per annum, each, \$39,950...	79,900 00
		\$198,900 00

School for Deaf and Dumb, Act March, 1867, per capita allowed White Department, payable quarterly.....	\$42,000 00
Improvement and repairs, payable quarterly.....	4,000 00
Colored pupils, payable quarterly .....	5,000 00
Addition to buildings and repairs.....	2,000 00
	————— \$53,000 00

School for Blind, white and colored pupils, payable quarterly .....	28,000 00
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**BUREAU OF AGRICULTURE, STATISTICS, AND MINES, AND IMMIGRATION.** Bureau of Agriculture, Statistics, and Mines, and Immigration.

Salary of Commissioner, at \$2,500 per annum.....	\$5,000 00
Expenses of department, \$7,- 000 per annum.....	14,000 00
Geologist's salary as Inspector of Mines, \$600 per annum, to be paid out of appropria- tion of Bureau.....	1,200 00
	————— \$16,200 00

*Provided*, That only fifteen hundred dollars per annum of this appropriation for the Agricultural Bureau shall be used in the employment or payment of assistant commissioners and clerk.

**MISCELLANEOUS ACCOUNTS.**

*Miscellaneous accounts.*

Express charges on money from collecting officers.....	\$1,000 00
Tax aggregates.....	2,400 00
Supreme Court Reports.....	3,600 00
Publishing Governor's Proclamation, Sub- mission, etc.....	500 00
Publishing acts in newspapers.....	400 00
Copying acts for newspapers and indexing acts.....	150 00
State Board of Health.....	6,000 00
Presidential electors.....	750 00
Public arms expense.....	400 00

Attorney's fees, W. C. Kelly.....	\$ 600 00
R. A. Renfro's fees for land sales of Cum- berland County, for land sales of 1876 and 1880, as per House Bill No. 422.....	281 00
To pay past interest on loans, and interest on any future loans that may be neces- sary .....	10,000 00

SEC. 2. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to each member of the House and the officers of the same for the amounts stated to be due them in the following schedule:

NAMES OF REPRESENTATIVES.	No. of Miles.	Mileage.	No. of Days.	Per Diem.	Total.
Acuff, Coram.....	574	\$ 91 84 75	\$300	\$391 84	
Allen, J. M.....	188	22 08 75	300	322 08	
Allen, J. W.....	502	80 32 75	300	380 32	
Avent, Frank.....	64	10 24 75	300	310 24	
Ball, H. H.....	716	114 56 75	300	414 56	
Bell, Job.....	444	71 04 75	300	371 04	
Bibb, Vernon F.....	88	• 14 08 75	300	314 08	
Brown, J. A.....	586	98 76 75	300	393 76	
Brown, A. B.....	168	26 88 75	300	326 88	
Buchanan, Jno. P.....	84	18 44 75	300	313 44	
Burke, Geo. L.....	474	76 84 75	300	376 84	
Burnett, H. C.....	354	56 64 75	300	356 64	
Burney, R. H.....	124	19 84 75	300	319 84	
Calicot, T. P.....	320	51 20 75	300	351 20	
Cate, Gus.....	364	58 24 75	300	358 24	
Christian, J. W.....	178	28 48 75	300	328 48	
Cooper, Caleb L.....	100	16 00 75	300	316 00	
Corban, B. J.....	148	22 88 75	300	322 88	
Davis, Ralph.....	464	74 24 75	300	374 24	
Dulaney, N. T.....	800	128 00 75	300	428 00	
Dykes, R. T.....	274	44 84 75	300	344 84	
Elcan, A. L.....	550	88 00 75	300	388 00	
Ellis, C. C.....	42	6 72 75	300	306 72	
Erwin, L. T.....	452	72 32 75	300	372 32	

NAMES OF REPRESENTATIVES.	No. of Miles.	Mileage.	No. of Days.	Per Diem.,	Total.
Everett, S. J.....	245	\$39 20	75	\$300	\$389 20
Fain, John.....	800	128 00	75	800	428 00
Fort, Joel B.....	90	14 40	75	300	314 40
Fowler, W. J.....	474	75 84	75	300	375 84
Francisco, W. M.....	714	114 24	75	300	414 24
Gamble, A. M.....	576	92 16	75	300	392 16
Gamble, Tip.....			75	300	300 00
Golladay, E. I.....	60	9 60	75	300	309 60
Gooden, M. W.....	572	91 52	75	300	391 52
Hall, B. F.....	296	47 36	75	300	347 36
Hammock, W. M.....	84	13 44	75	300	313 44
Hanna, J. A.....	340	54 40	75	300	354 40
Harrell, W. R.....	514	82 24	75	300	382 24
Harrington, W. F.....			75	300	300 00
Harris, Joe.....	526	84 16	75	300	384 16
Harwell, T. B.....	168	26 88	75	300	326 88
Hasslock, H. A.....			75	300	300 00
Head, Jno. R.....	368	58 88	75	300	358 88
Hearn, H. M.....	104	16 64	75	300	316 64
Hill, L. D.....	280	44 80	75	300	344 80
Hornsby, W. C.....	414	66 24	75	300	366 24
Huff, S. B.....	678	108 48	75	300	408 48
Hurt, A. D.....	344	55 04	75	300	355 04
Hutchins, S. L.....	802	48 32	75	300	348 32
Idol, Willis.....	624	99 84	75	300	399 84
Johnson, T. B.....	52	8 32	75	300	308 32
King, T. B.....	330	52 80	75	300	352 80
King, W. H.....	452	72 32	75	300	372 32
Lea, J. H.....	340	54 40	75	300	354 40
Leahy, Dennis.....	526	80 16	75	300	384 16
Leech, Hardin.....	100	16 00	75	300	316 00
Lewis, T. W.....	164	26 24	75	300	326 24
Ligon, L. A.....	100	16 00	75	300	316 00
Lindsay, H. B.....	556	88 96	75	300	388 96
Littleton, Jno. J.....			50	200	200 00
Martin, J. P.....	296	47 36	75	300	347 36
McCall, Jno. E.....	264	42 24	75	300	342 24

Names of Representatives.	No. of Miles.	Mileage.	No. of Days.	Per Diem.	Total.
McClelland, F. S.....	140	\$22 40	75	\$300	\$322 40
McElwee, S. A.....	868	58 88	75	300	358 88
Merritt, A. G.....			75	300	300 00
Milburn, W. E. F.....	690	110 40	75	300	410 40
Miller, C. A.....	880	60 80	75	300	860 80
Montgomery, D. A.....	40	6 40	75	300	306 40
Moody, C. J.....	126	20 16	75	300	320 16
Moreland, M. L.....	820	131 20	75	300	431 20
Mynatt, E. F.....	526	84 16	75	300	384 16
Neely, J. M.....	210	38 60	75	300	383 60
Norris, A. D.....	80	12 80	75	300	312 80
Odlum, R. A.....	464	74 24	75	300	374 24
Parker, J. N.....	876	60 16	75	300	860 16
Parks, H. Jr.....	876	60 16	75	300	860 16
Pearson, J. D.....	854	56 64	75	300	356 64
Rice, C. S. O.....	440	70 40	75	300	370 40
Rolin, Sam.....	580	92 80	75	300	892 80
Savage, John H.....	208	38 28	74	294	329 28
Sims, N. B.....	164	26 24	75	300	326 24
Solomon, A. M.....	244	89 04	75	300	389 04
Stone, J. W.....	802	48 82	75	300	848 82
Thompson, W. T. F.....	454	72 64	75	300	872 64
Thornburg, R.....	576	92 16	75	300	392 16
Tipps, J. C.....	264	42 24	75	300	342 24
Travis, J. L. S.....	278	44 48	75	300	844 48
Tyler, A. J.....	710	118 60	75	300	418 60
Wade, W. W.....	874	59 84	75	300	859 84
Wagner, McC.....	706	112 96	75	300	412 96
West, Jesse.....	120	19 20	75	300	319 20
Wheatly, J. K.....	218	34 88	75	300	834 88
Whitthorne.....	94	15 04	75	300	315 04
Wilkes, N. R.....	94	15 04	75	300	315 04
Williams, J. A.....	100	16 00	75	300	316 00
Williams, J. J.....	170	27 20	75	300	827 20
Williams, J. A.....	160	25 60	75	300	325 60
Willis, J. G.....	166	26 50	75	300	826 56
Yancey, R. P.....	155	24 80	75	300	824 80

OFFICERS.	No. of Miles.	Mileage.	No. of Days.	Per Diem.	Total.
Connette, E. G.....			18	\$72	\$72 00
<b>OFFICERS.</b>					
Clapp, W. L., Speaker...	464	\$74 24	75	450	524 24
Wade, E. B., Prin. Clerk.....		75	450	450	00
Crockett, C. W., Assist't Clerk.....		75	450	450	00
Buchanan, Mrs Lulu, Engrossing Clerk.....		75	450	450	00
Bentley, Miss Lily, Assistant Engrossing Clk.....		20	120	120	00
Doyle, H. P., Journal Clerk.....		75	450	450	00
Talley, J. D., Sergeant-at-Arms.....		84	836	886	00
Harkreader, Wm., Assistant Sergeant-at-Arms.....		75	300	300	00
Miller, Wm., porter.....		75	225	225	00
Scott, Morris, porter.....		75	225	225	00
Sellers, Aron, porter.....		75	225	225	00
Johnson, Jake, porter.....		75	225	225	00
Newsome, Miss Henryetta, Assistant Engrossing Clerk.....		5	.....	30	00
{ Mrs. Katie Jamison .....		2	.....	12	00
Miss Newsome.....		2	.....	12	00
For assistance rendered Engrossing Clerk of the House of Representatives .....					

Sec. 3. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to each member of the Senate, and to each officer and employe of the same, for the amount stated to be due in the following schedule:

NAMES OF SENATORS.		No. of Miles.	Mileage.	No. of Days.	Per Diem.	Total.
Brown, John W.....	696	\$111 36	75	\$300	\$411	36
Carden, J. M.....	596	95 86	75	300	395	36
Beaty, Cecil.....	572	91 52	75	300	391	52
Cobbs, L. T.....	58	9 28	75	300	309	28
Coil, J. J.....	596	95 86	75	300	295	36
Fairbanks, W. W.....	210	38 60	75	300	338	60
French, C. B.....	470	95 20	75	300	375	20
Green, A. P.....	452	72 32	75	300	372	32
Jarvis, E.....	280	44 80	75	300	344	80
Jones, Alfred.....	152	24 30	75	300	324	30
Kennedy, V. J.....	360	57 60	75	300	357	60
Ledbetter, H. M.....	246	39 86	75	300	389	36
Leech, Jacob.....	100	16 00	75	300	316	00
Lewis, J. W.....	280	44 80	75	300	344	80
Long, T. C.....	344	55 04	75	300	355	04
Lyle, W. J.....	886	61 76	75	300	361	76
Lynn, H. J.....	464	74 24	75	300	374	24
Maney, George .....		75	300	300	00	
McDowell, J. H.....	330	58 80	75	300	352	80
Montedonico, J. D.....	464	74 24	75	300	374	24
Norment, Jesse.....	380	60 80	75	300	360	80
Padgett, B. W.....	332	53 12	75	300	353	12
Polk, L. E.....	94	15 04	75	300	315	04
Quarles, W. A.....	124	19 84	73	292	311	84
Sanford, William.....	540	86 40	71	284	370	40
Simerly, J. M.....	770	123 20	75	300	423	40
Sparks, J. W.....	64	10 24	75	300	316	24
Thompson, R. E.....	60	9 60	75	300	309	60
Tolley, W. P.....	264	42 24	75	300	342	24
Townes, H. C.....	210	33 60	75	300	333	60
Trimble, James .....		75	300	300	00	
Williamson, S. B.....	874	60 04	75	300	360	04
OFFICERS.						
Ewing, Z. W., Speaker..	160	25 60	75	450	475	60
Harris, J. A., Prin. Cl'k		75	450	450	450	00
Griffin, G. W., Assistant						
Clerk .....		75	450	450	450	00

NAMES OF SENATORS.	No. of Miles.	Mileage.	No. of Days.	Per Diem.	Total.
Dromgoole, Miss Will A., Engrossing Clerk .....	.		75	\$450	\$450 00
Hickman, J. P., Ser- geant-at-Arms .....			75	300	300 00
Ewing, Caruthers, page .....			75	300	300 00
Fields, Whitlock, porter .....			75	300	300 00
Bell, Chas., porter .....			75	300	300 00

SEC. 4. *Be it further enacted*, That the Principal Clerk of the House be directed to remain a sufficient time after the adjournment of the General Assembly to file properly the papers of the House with the Secretary of State, to recopy the Journals of the House for the Public Printer, reading proof, superintending the printing of the same, and making the index to the printed Journal, for which the sum of one thousand dollars (\$1,000) is hereby appropriated; and the Comptroller shall issue his warrant for said amount when the Clerk shall have performed these duties and closed his business.

SEC. 5. *Be it further enacted*, That the Assistant Clerk shall remain a sufficient time after adjournment and assist the Principal Clerk in recopying the Journals; and when said duty shall have been performed the Comptroller shall issue his warrant for four hundred and fifty dollars (\$450) to said Assistant Clerk for said service.

SEC. 6. *Be it further enacted*, That the Comptroller be, and he is hereby, directed to draw his warrant on the State Treasury in favor of the persons and under authority of the resolutions hereinafter mentioned, to-wit:

House Resolution No. —, for postage to Representatives, through Sergeant-at-Arms	\$470 00
Senate Resolution No. —, for postage to Senators, through Sergeant-at-Arms.....	155 00

**House Resolution No. —, to pay porters during organization of House:**

Wm. Frayser .....	\$ 6 00
Henry Wood .....	6 00
Frank Harris .....	21 00
Philip Reese .....	18 00
James Dawson .....	18 00
	—
	\$69 00

**Also to pay Sergeant-at-Arms during organization:**

W. E. Brown .....	24 00
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**Also to pay Assistant Sergeants-at-Arms during organization:**

R. F. Jones .....	24 00
N. T. Dulaney .....	24 00
	—

**\$141 00**

**House Joint Resolution No. —, to provide inauguration expenses, as follows:**

Henry Ward, porter .....	\$2 00
James Dawson, porter .....	2 00
Harding Light Artillery .....	20 00
L. D. Abbot, Jr., music .....	30 00
Ed Gilliam, for flowers .....	6 00
	—

**\$60 00**

**House Resolution No. —, to purchase an iron safe for Engrossing Clerk, Eatherly Hardware Company .....**

**100 00**

**Senate Resolution No. —, to Sergeant-at-Arms for flag to Senate Chamber .....**

**29 50**

**Senate Resolutions Nos. —, for various bills, as follows:**

John Terry, Senate porter during organization .....	\$82 00
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Benson & Co., curtain for Senate .....	35 00
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Atwell & Sneed, chairs, etc., for Senate .....	74 00
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Phillips, Buttorff & Co .....	64 85
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John F. Skeggs & Co .....	2 50
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L. Rosenheim & Bro .....	65 00
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Phillips, Buttorff & Co., filter for Senate .....	10 00
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Benson & Co., Senate Chamber repairs .....	441 80
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Wm. Hazlett & Co., repairs, etc .....	40 00 —
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**\$765 15**

John T. Brown, making stand for Senate..	\$5 00
Gray & Healey, repairs on roof of Capitol	116 15
House Joint Resolution No. —, to repair locks to desks, William Overstreet.....	29 60
House Resolution No. —, to procure new curtains for Hall of Representatives, and to refurnish the committee rooms, bills as follows:	
Carl & Crockett. ....	\$12 00
L. Rosenheim & Bro. ....	758 25
Weakley & Warren.....	185 00
Phillips, Buttorff & Co. ....	72 55
House Joint Resolution No. 99, to Secretary of State to buy an iron safe for use of land office in Sparta, Mountain District .....	250 00
House Resolution No. 23, to purchase Codes for use of members, Marshall & Bruce	\$382 50
Senate Resolution No. 12, to purchase Codes for Senators, Marshall & Bruce.....	247 50
Senate Joint Resolution No. 29, Marshall & Bruce.....	82 50
Senate Joint Resolution No. 27, Marshall & Bruce.....	399 50
	—————
	\$1,112 00

Sec. 7. *Be it further enacted*, That the Comptroller be, and is hereby, directed to issue his warrant on the Treasurer in favor of the following persons for the services and expenses indicated:

1. Committee to Visit Knoxville Charitable Institutions—Senators A. Jones, B. W. Padgett, L. T. Cobbs, J. J. Coil, C. B. French, and Representatives A. D. Hurt, H. Parks, A. J. Tyler, Gus Cate, N. R. Wilkes, S. E. McElwee, Jno. E. McCall, T. P. Callicot, B. F. Hall, R. Thornburg, and E. F. Mynatt, expenses, each \$6.00..... \$96 00
2. Committee to Investigate Branch Penitentiaries—to Representatives:
  - A. L. Elcan .....
  - J. W. Allen.....
  - A. B. Brown.....

J. G. Willis.....	\$4 85
D. Leahy.....	4 85
J. W. Stone.....	4 85
L. T. Erwin.....	4 85
	_____
	\$48 95
Senators:	
T. C. Long.....	\$19 95
J. W. Lewis.....	4 95
H. J. Lynn.....	4 95
	_____
	\$29 85
J. M. Carden.....	4 95
To Senator James Trimble, for seven carriages for Joint Committee on Charitable Institutions, to visit Middle Tennessee Insane Asylum.....	49 00
8. Committee to visit West Tennessee Insane Asylum, expenses per	
C. A. Miller.....	\$14 15
H. M. Hearn.....	4 75
J. N. Parker.....	2 50
	_____
Nimrod Williams, hack hire.....	\$21 40
4. Committee on Public Buildings and Grounds, expenses to visit Hermitage, Nashville City Transfer Co.'s omnibus..	2 50
	12 50

Sec. 8. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer in favor of Scott Morris and William Miller, porters, for twenty-seven dollars (\$27.00) each for nine days' services during the recess, and also to Scott Morris, Bill Miller, Abram Sellars and Jake Johnson, porters, for twenty-one dollars each for keeping up fires for seven nights each, under authority of House Resolution, also for two hundred and seventy dollars (\$270.00) each to Jno. and E. S. Kirwin for services as porters of the water closets of the Capitol from 1st of January to 1st of April 1887.

Sec. 9. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer for the payment of the interest due July 1st, 1887, January 1st, 1888, July 1st, 1888, January 1st, 1889, on the bonds comprising the State debt proper, as the same may be payable by statute.

Sec. 10. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer in favor of the widow of ex-President Polk for the interest due

July 1st, 1887, January 1st, 1888, July 1st, 1888, and January 1st 1889, on the bonds of the State owned and held by her on the first day of January, 1877, not exceeding twenty-nine in number.

Sec. 11. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer for the payment of interest due July 1st, 1887, January 1st, 1888, July 1st, 1888, and January 1st, 1889, on bonds and certificates of indebtedness held by charitable, literary, or educational institutions in the State, as the same may be due by existing laws.

Sec. 12. *Be it further enacted*, That the sum of thirty thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the support of two hundred and thirty-five (235) patients in the West Tennessee Hospital for the Insane from the time said hospital is opened and occupied by insane patients to March 19th, 1889, as provided by law, and also thirteen hundred and thirty-three dollars and thirty-three cents (\$1,338.33), or so much thereof as may be necessary, to the Superintendent of the West Tennessee Hospital for the Insane for the same time at the rate of two thousand dollars per annum, as now provided by law.

Sec. 13. *Be it further enacted*, That the sum of forty dollars each is hereby appropriated to pay R. A. Odulum and Jno. P. Buchanan for ten days' services on Committee to Refurnish the Hall of the House of Representatives during recess, as per House Resolution No. —.

Sec. 14. *Be it further enacted*, That the Comptroller draw his warrant in favor of J. Dautel for forty-five dollars and fifty cents for amount paid out in purchasing trees, etc., for Capitol grounds.

Sec. 15. *Be it further enacted*, That the sum of five thousand dollars, or so much as may be necessary, is hereby appropriated out of the Treasury, and the Comptroller is directed to issue his warrant upon the Treasurer for said sum for the purpose of making the necessary repairs upon the Capitol building and sodding the grounds, and that Comptroller, Treasurer, and Superintendent of the Capitol are hereby constituted a board to superintend said expenditure and make their report to the next General Assembly; also the sum of fifty-two dollars and fifty-five cents be appropriated to Webb, Stevenson & Co. for sup-

plies furnished the Capitol on the order of the Superintendent.

Sec. 16. *Be it further enacted*, That the Comptroller issue his warrant to Banner Publishing Company for publishing proclamation in reference to removal of Penitentiary, in pursuance of an act of the General Assembly, in extraordinary session, approved 25th of April, 1882, twenty-six dollars.

Sec. 17. *Be it further enacted*, That the Comptroller issue his warrant upon the Treasurer in favor of Ogden Brothers & Co., of Knoxville, Tenn., for the sum of one hundred and fifty dollars, for work done in binding eighteen volumes of the records of the Land office in East Tennessee, at Knoxville, Tenn.

Sec. 18. *Be it further enacted*, That the Comptroller issue his warrant to Dr. C. D. Elliot for fifty dollars, for services in opening the House with prayer.

Sec. 19. *Be it further enacted*, That the Comptroller issue his warrant to the State Treasurer, in favor of Charley Bell, for nine dollars, for services rendered as porter during the organization of the House.

Sec. 20. *Be it further enacted*, That the Chief Clerk of the Senate be directed to remain a sufficient time after the adjournment of the General Assembly to file properly the papers of the Senate with the Secretary of State, to recopy the Journals of the Senate for the Public Printer, reading proof, superintend printing the same, and making the index to the printed Journals, for which the sum of one thousand dollars (\$1,000) is hereby appropriated, and for such service the Comptroller be, and he is hereby, directed to issue his warrant on the Treasurer for said sum in favor of said Chief Clerk.

Sec. 21. *Be it further enacted*, That the Assistant Clerk of the Senate shall remain a sufficient time after adjournment and assist the Chief Clerk in recopying the Senate Journals, and for such services the Comptroller be, and he is hereby, directed to issue his warrant on the Treasurer for four hundred and fifty dollars (\$450) in favor of said Assistant Clerk.

Sec. 22. *Be it further enacted*, That the Comptroller draw his warrant on the Treasurer, in favor of Whit Field, porter for the Senate, for four dollars and fifty cents, for washing towels for use of the Senate.

Sec. 23. *Be it further enacted*, That the Comptroller draw his warrant on the Treasurer, in favor of W. F. Overstreet, for eight dollars and twenty cents, for

repairing and furnishing locks and keys to desks in the Senate chamber.

SEC. 24. *Be it further enacted*, That the sum of forty dollars be allowed to Engrossing Clerk of the Senate for extra work done.

SEC. 25. *Be it further enacted*, That the Comptroller be, and is hereby, authorized to draw his warrant on the Treasurer of State, in favor of W. M. Hammock for \$20, to Coram Acuff for \$20, to E. F. Mynatt for \$20, of T. B. King for \$20, of W. P. Tally for \$20, and of James Trimble for \$20, and Jno. Hickman for \$20, for five days' work after the adjournment of the General Assembly as special committee under Senate Joint Resolution No. 161.

SEC. 26. *Be it further enacted*, That the Comptroller issue his warrant in favor of Jno. P. Hickman, for three extra days' work, for twelve dollars, and — Ewing, for two extra days' work, for eight dollars.

SEC. 27. *Be it further enacted*, That the sum of one hundred dollars be paid to Rev. J. D. Barbee for his services as Chaplain of the Senate, and that the Comptroller issue his warrant on the Treasurer in his favor for same.

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 224.

AN ACT to incorporate the town of Newbern, in the county of Dyer, provide for the election of officers, and prescribe their duties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the town of Newbern, in the county of Dyer, and the inhabitants thereof, within the limits of the town of Newbern incorporated.

**Boundaries.**

the boundaries hereinafter specified, be, and are hereby, constituted a body politic and corporate, under and by the style and name of the Mayor and Aldermen of Newbern. The boundaries of said town of Newbern shall be as follows: Beginning at a stake in the Doakville road, the southeast corner of O. J. Radford's home place, and runs south sixteen (16) poles to a stake; thence west across said Radford's and R. G. Menzie's fields to said Menzie's yard fence, fifty-eight and four-fifths (58 $\frac{4}{5}$ ) poles; thence south twenty-three (23) poles to a stake; thence west fifty (50) poles to a stake in the west side of the Friendship road; thence south fifty (50) poles to a stake; thence southeast with the meanders of the branch twenty-nine (29) poles to J. T. Lawrence's southeast corner; thence west nineteen (19) poles to a stake in the west side of the Friendship road; thence south with the west side of said road thirty-seven (37) poles to the south line (being the southeast corner) of the cemetery lot; thence west twenty-seven and ten twenty-fifths poles to the southwest corner of said cemetery lot; thence north fifty-six (56) poles to a stake, the southeast corner of H. R. A. McCorkle's Youree place; thence west forty-two (42) poles, including the coal chute, and crossing the railroad to a point south of J. W. Porter's west line; thence north forty (40) poles to a stake in Miss Hannah Inman's west line; thence west one hundred and twenty (120) poles to a stake in Allen Stone's south line; thence north, including said Stone's and L. M. Williams' residences, one hundred and thirty-two (132) poles to a stake in said Williams' field, north of his barn; thence east forty-seven (47) poles to a stake in S. S. Ellis's west line; thence north with said line across Holland's, Campbell's, and Walker's to Ben Haskin's northwest corner; thence east fifteen and one-half (15 $\frac{1}{2}$ ) poles to a stake in center of the road; thence north to J. S. McCorkle's southwest corner; thence east with said McCorkle's south line and passing said McCorkle's land, and runs between Tom Ferrel's and George Dupree's and on east to the center of the Sharper's Ferry road to a stake in R. W. Pace's east line; thence south ten (10) poles to Lou Pace's northwest corner; thence east eighteen (18) poles to Dr. R. N. Fryar's west line; thence south twenty-four (24) poles to said Fryar's corner; thence east twenty-nine (29) poles to a stake in the Yorkville road;

thence south twenty-four (24) poles to a stake in said Yorkville road, near the railroad; thence east thirty-six (36) poles to a stake in the east line of the Pomp Enoch's place; thence south seventy-four (74) poles to the beginning.

SEC. 2. *Be it further enacted*, That the corporation Corporate powers. aforesaid shall have the perpetual succession by such name and style, shall sue and be sued, plead and be impleaded in all courts of law and equity and in all actions whatever; may purchase, receive, and hold personal and real property within the corporate limits, and may purchase, receive, and hold both real and personal property within or beyond said corporate limits, to be used for the burial of the dead; for the erection and keeping up hospital houses, quarantine houses, or stations, work-houses, houses of correction, and water-works; and may sell, or lease, or dispose of all of said property for the benefit of the corporation; but the sale of said property shall be at public auction; and may do all other things touching said property as natural persons, and shall have and use a common seal, which may be changed at the pleasure of the Board of Mayor and Aldermen, and said corporation shall have power to establish within or without the corporate limits, other houses or places for corporate purposes, and to make laws and regulations for the government, improvement, and keeping up all of said places.

SEC. 3. *Be it further enacted*, That the Mayor and Aldermen of Newbern shall, within the limitations of Purposes for which ordinances may be enacted. this Act, have power by ordinance—

1. To levy and collect taxes for general corporation purposes, upon all property and polls taxable by the laws of the State, the rate of taxation on property to be such amount as the Mayor and Aldermen may provide for.

2. To levy and collect taxes for general corporation purposes upon merchants, and one or all the privileges taxable by the laws of the State. The rate upon merchants and privileges to be such as the Mayor and Aldermen may provide for.

3. To appropriate money and provide for the payment of the debts and expenses of the corporation.

4. To make regulations to prevent the introduction or spread of contagious diseases in the town; to make quarantine laws for this purpose, and enforce the same in two miles of the corporate limits.

5. To establish a system of free schools and regulate the same, but so as to avoid sectarian influence; to levy and collect taxes on the property, polls, merchants, and privileges taxable by the laws of the State, in order to keep up and maintain said schools; to erect therefor public school buildings and improve the same. This shall be a special tax and known as the "City School Tax," and shall be kept separate and apart from other taxes; said tax shall not exceed twenty-five cents on each one hundred dollars worth of property, one dollar on polls, and five-eighths of the tax levied by the State on merchants and privileges; to make with the District School Directors, or proper school authorities, contracts by consolidation with the schools kept up by the State and county taxation, and to assist in keeping same up after consolidation, and to contract for erection or improving school buildings, and to do the same things with the trustees or authorities of private schools, or persons controlling and managing private school property, and for any of these purposes to appropriate any part or all of the city school tax mentioned.

6. In the event a free school system is not established for the town under the provisions of the preceding sub-section, then the board may make contracts with the proper authorities of any free school or private school to assist in keeping up the same, and to assist in building and improving school buildings within the corporate limits, and for this purpose may levy and collect taxes on property, polls, merchants, and privileges, limited in amount as prescribed in Sub-section 5, and may appropriate said taxes for said purposes, or any one of them.

7. To make regulations to secure the general health of the inhabitants, and prevent and remove nuisances.

8. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean, keep in repair streets, alleys, and sidewalks, or to have or to cause the same to be done.

9. To erect, establish, and keep in repair bridges, culverts, sewers, and gutters.

10. To provide for lighting the streets, digging wells, cisterns, and erecting pumps on the streets or public grounds.

11. To provide for the erection and improvement of all buildings necessary for the use of the corporation.

12. To provide for the enclosing, improving, and regulation of all public grounds and buildings belonging to or under control of the corporation within or beyond the corporate limits.

13. To license, tax, and regulate merchants, peddlers, and all privileges taxable by the State.

14. To regulate, or prohibit and suppress, all gambling or gambling houses, bawdy houses, and all disorderly houses and obscene pictures and literature.

15. To provide for the prevention and extinguishment of fires, to organize and establish fire companies, and to regulate the carrying on of manufactories dangerous in causing or producing fires.

16. To regulate the storage of gun-powder, tar, pitch, resin, saltpeter, gun-cotton, coal-oil, and all other combustibles, explosive or inflammable material, and the use of lights, candles, lamps, stove-pipes, steam-pipes, and chimneys in all store-houses, dwellings, out-houses, shops, stables, or other places, and to regulate and suppress the use and sale of fire-crackers, or fire-works, of all kinds.

17. To establish, regulate markets, market-houses, and meat-houses.

18. To impose fines, forfeitures, and penalties for the breach of any ordinance, and to provide for their recovery and appropriation.

19. To provide for the arrest, imprisonment, and punishment of all rioters and disorderly persons within the town, by day or night, for the punishment of all breaches of the peace, noise, disturbances, and disorderly assemblies.

20. To impose fines or penalties upon the owner or owners, occupants or agents, of any house, wall, or sidewalk, or other structure which may be considered dangerous or detrimental to the citizens unless the same be removed or repaired after such notice be given as the board may fix by ordinance.

21. To regulate, tax, license, or suppress the running at large of all animals within the corporate limits, to take and impound the same, and in default of redemption, in pursuance of ordinance, to sell or kill the same.

22. To provide for the arrest and confinement or release on appearance bond until trial of all persons violating any of the corporate ordinances.

23. To provide for the appointment of a special police force at such times as the board may determine by ordinance.

24. To grant the right of way through or over the streets, alleys, avenues, and square of the town, to street or other railroad companies or persons.

25. To take and appropriate grounds for widening streets or parts thereof, or for laying out new streets, avenues, square, or parks, when public convenience requires it, under the provisions of Section 1338 and Sections 1388, 1389, 1390, and 1391, of the Code.

26. To regulate or restrain and prohibit the erection of wooden buildings in any part of the city, or making additions thereto of wooden material, and this prohibition shall be enforced by appropriate ordinances.

27. To provide for any person who may fail to pay or secure at once any fine or cost that may be imposed upon him or her under any ordinance to be committed to the calaboose until said fine or cost is paid. Every person so committed shall be required to work for the corporation at such labor as his health and strength will permit, not exceeding eight hours a day, and for such work the person doing same shall have, exclusive of board, a credit of fifty cents upon said fine or cost until said fine or cost is paid, when he shall be released. *Provided*, That no person shall be compelled to work or be confined longer than three months for any one offense.

28. To enact laws to prevent persons from riding with dangerous speed in corporation; to prevent persons from stopping teams on crossings and riding across the sidewalks; to place rubbish on sidewalks, to place any obstruction on sidewalks or in the streets, to injure public or private property of any kind.

**Election.**

Sec. 4. *Be it further enacted*, That the Sheriff of Dyer County, after giving ten days' notice, shall by himself or one of his deputies hold an election in the town of Newbern on the third Tuesday in November, 1887, and said election shall be held for the purpose of electing Mayor, Aldermen, and Marshal; and the Mayor, Aldermen, and Marshal elected at said time shall serve for two years. And thereafter, on the third Tuesday in November, there shall be an election held for the purpose of electing a Mayor, Aldermen, and Marshal for said town, to serve for the ensuing two years, it being the intention of this Act to pro-

vide for the election of a Mayor, Aldermen, and Marshal for said town once in every two years. The polls shall be open at 10 o'clock A. M. and closed at 4 o'clock P. M. of that day. The Board of Mayor and Aldermen may by ordinance make any additional provisions that may be found necessary to prepare for and conduct said election. If the Sheriff fail to hold said election at the time herein mentioned, it shall be his duty to hold it as soon thereafter as possible after giving the required notice. If there be no Sheriff, or if no notice have been posted by him on the tenth day before the day of the regular election, or if notices have been posted by him but he is not present himself or deputy on the day of said election, then, in either of said events, the Coroner, or some person who may be appointed by the Board of Mayor and Aldermen, shall perform all the duties in and about said election required of the Sheriff; and that the person receiving the highest number of votes for Mayor shall be declared Mayor of said corporation, and shall also be one of the Aldermen; and the six persons receiving the highest number of votes each for Alderman than any other person for Alderman shall be declared elected Aldermen; and the officers holding said elections shall make out and deliver within three days each a certificate of their election; and the judges and clerks, after being sworn and qualified as provided by the election laws of this State, shall perform similar duties of judges and clerks in State and county elections. And after the votes are counted and the result ascertained the officers holding said election shall file the poll lists and other papers showing the result of said election, properly certified, with the Recorder, who shall preserve them.

Certificates of election.

SEC. 5. *Be it further enacted*, That all persons living within the limits of said corporation who would be qualified to vote for members of the General Assembly of this State, and persons owning a freehold within the bounds of said corporation, and otherwise qualified to vote, shall be entitled to vote for Mayor or Aldermen and City Marshal for said corporation, and no person shall be eligible for the office of Mayor, Aldermen, and City Marshal unless he be a citizen and qualified voter of said town of Newbern, and in case of death, removal, or resignation of any of the officers of said corporation, the Mayor and Aldermen

qualification of voters.

shall have power to fill such vacancy for the time unexpired.

**Recorder.**

SEC. 6. *Be it further enacted*, That the persons elected Mayor and Aldermen, as provided in Section 4, shall meet on the day after this election, or as soon thereafter as possible, and after being qualified shall proceed to elect one of their number Recorder for said corporation for the same time for which the Mayor and Aldermen were elected, as aforesaid, or until his successor is elected and qualified; and four of the Aldermen elected and qualified, as aforesaid, shall constitute a quorum for the transaction of all business, except the appropriation of money belonging to said corporation, and the Mayor and Aldermen shall have power to elect such other agent or agents as they may deem necessary to aid them in transacting the business of the corporation, and may provide by ordinance for such purpose.

**Oath.**

SEC. 7. *Be it further enacted*, That the Mayor and Aldermen of said town, before entering upon the discharge of their duties, shall take an oath before some Justice of the Peace of Dyer county to faithfully discharge their several duties as Mayor and Aldermen of said corporation.

**Treasurer.**

**Bond of Treasurer.**

SEC. 8. *Be it further enacted*, That the Treasurer, who shall be elected by the Mayor and Aldermen at the first meeting, or as soon thereafter as possible, from among the Aldermen, shall receive from the City Marshal, Recorder, or other collector of corporate funds, all moneys, and receipt for, take care of, and account for all such funds, of whatever nature, that may come into his hands; and for such purpose he shall keep such books as the Mayor and Aldermen may direct. He shall make out and present as many and such reports and statements, monthly or otherwise, as the board may direct, of the financial condition of his office and funds of the corporation. Before entering upon the discharge of the duties of his office, the Treasurer shall give bond, with good securities, payable to the Mayor and Aldermen of Newbern, and in such amount as the board may prescribe, for the faithful discharge of the duties of his office in every respect as prescribed by law or ordinances; and he shall perform such other duties as the Mayor and Aldermen may prescribe. He shall pay moneys out of the Treasury on the order or warrant of the Mayor, countersigned by the Recorder, and not otherwise,

the order or warrant to show for what purpose the money is paid out.

Sec. 9. *Be it further enacted*, That the Recorder <sup>Duties of Recorder.</sup> shall keep an accurate minute of the proceedings of the Board of Mayor and Aldermen, issue all license to merchants and license for privileges, and collect taxes on same as well as all other taxes, and shall keep an accurate account of same on a book kept for that purpose, as well as any other fund that may come into his hands from any source whatever. He shall make out the city tax-book at such time and under such rules as the board may prescribe. In making out the tax-book, the Recorder may take the list of property, the assessed value, etc., from the assessment-book of the Assessor for the then present or past year of property for State and county taxes, and any omitted property, and fix the value thereof. The city <sup>Assessor</sup> board may at any time elect the Recorder, or some other person, a City Assessor, whose duty it shall be to assess all property and polls in the corporation for taxation, and enter the same on a suitable assessment-book prepared for such purpose, and such assessment shall be made under the laws by which such property and polls are assessed for State and county purposes, except as herein otherwise provided. Such Assessor shall have such power or such as may be necessary and allowed <sup>Assessor of State and county taxes.</sup> The Assessor shall be required by the board to take an oath to faithfully discharge all the duties of his office, and the board shall fix the compensation of the Assessor. The Recorder shall perform such other duties as the board may impose upon him, and he shall turn over to the Treasurer at least every thirty days, or oftener if required by the board, all the moneys of the corporation that may come into his hands from any source whatever, and take a receipt for same. The Recorder shall be entitled to a fee of fifty cents <sup>compensation of Recorder.</sup> for each license issued by him and twenty-five cents for transferring license, and said fees shall be paid by the applicant; and the Recorder shall have such other salary as the board may fix by ordinance or otherwise; and the Recorder, before entering upon <sup>Bond of Recorder.</sup> the discharge of his duties, shall execute a bond payable to the Mayor and Aldermen of Newbern, with good security, in such sum as the board may prescribe, not to be less than double the amount of funds that may come into his hands as Recorder, condi-

tioned to be void only if the Recorder shall faithfully account for and pay over to the Treasurer all funds of the corporation that come into his hands, and faithfully perform all other duties required of him by law.

**Marshal.**

SEC. 10. *Be it further enacted*, That the Marshal shall thoroughly acquaint himself with the laws and ordinances, and rigidly enforce them. He shall have authority, without warrant in hand, to arrest any person within corporative limits for any offense committed against any corporate ordinance in his presence, and with warrant in hand he may execute it against the offending party and arrest him anywhere in the county. The Marshal shall execute promptly all process that may come into his hands, and make due return of same in thirty days, showing what he has done, and he shall perform such other duties as may be imposed upon him by the board. He shall hold his office, after his election, until the next regular election of Mayor and Aldermen, and till his successor is elected and qualified, but always subject to removal by the board. He shall make report every thirty days of the funds collected by him, and turn same over to the Recorder.

**Power to make contracts.**

SEC. 11. *Be it further enacted*, That the Board of Mayor and Aldermen shall have power to make all proper contracts necessary for corporate purposes, which shall be made in the name of the corporation, and signed by the Mayor and Recorder, and no person shall have power to create any liability against the corporation, except by express authority of the board, conferred at a meeting duly and regularly called.

**Mayor and Recorder to hold property for use of corporation.**

SEC. 12. *Be it further enacted*, That the title to all property, real or personal, purchased by the corporation, shall be conveyed to the Mayor and Recorder by name, in their official capacity, for the use and benefit of the Mayor and Aldermen of Newbern, and their successors, and by them, on behalf of the corporation, shall the title to property sold by the corporation conveyed; the said Mayor and Recorder signing the deed or writing in their official capacity, and under the seal of said corporation.

**Manner of Assessing property.**

SEC. 13. *Be it further enacted*, That property subject to taxation shall be assessed and listed for taxation in the name of the owner, or reputed owner, alphabetically, for the entire town, and if real estate, giving the number of the lot, or some description

that be sufficient to identify it. In estimating the value of the property the Assessor shall be governed by the assessment laws of the State. Merchants and privileges of all kinds shall be taxed, and taxes on same collected as may be provided by ordinances. The assessment book shall be made out and completed by the 1st day of April for the year for which the assessment is made, and delivered by said time to the Recorder, who shall proceed at once to make out the tax-book, and shall complete the same by the third Tuesday in November of said year, at which time said taxes shall become due and payable, but the Collector shall not enforce the collection of taxes until the first Monday of February of the ensuing year, unless ordered to do so by the board. All parties who have not paid their taxes by this time shall become delinquents, and the Recorder shall at once make out a complete list of all such, showing the amount of taxes due from each tax-payer and such penalty as the board may prescribe by ordinance. When said list is made out the Recorder shall make affidavit thereto before the Mayor or some Justice of the Peace that it contains a full and complete list of all delinquents, and the true amount due by each to the best of his information and belief. Said list shall be turned over to the Marshal, and shall be as to each delinquent equivalent to an execution in the hands of said Marshal, and with it he shall have the power to seize and take the goods, and chattel rights and credits of said delinquents, sufficient to satisfy the amount due by each, and to do all other things authorized to be done by any officer, under an execution levied on such property, until the money is made. If the Recorder fails to make out said list promptly and in the time specified by ordinance, and turn same over to the Marshal, the board may select some one else, or if the Marshal fails to enforce promptly the collection of said taxes, the board may select some one else for said purpose. The Marshal or other person shall keep list until such time as the board may prescribe for him to return said list and make final settlement. Accounts may be made out against delinquents at any time after the return of said list for the amount of taxes, and suits be brought against the parties in the nature of an ordinary action of debt, before any Justice of the Peace, in the name of the Mayor and Aldermen of Newbern. If the taxes

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are on real estate the warrant may show what **lot or** lots, and that the taxes are a lien on said property, and the lien may be enforced by judgment and execution, or attachment may issue showing some facts upon affidavit of Marshal or Collector, stating any of the causes mentioned in the Code for issuance of attachments at law. Assessed taxes on realty shall be, and remain a lien thereon, until paid, from and after the 10th day of January of the year the assessment is made.

**Distress warrants.**

Sec. 14. *Be it further enacted*, That the Recorder may issue and sign distress warrants and alias and pluries distress warrants to collect taxes on merchants and privileges, directed to the Marshal or officer, or he may sue for and recover the same in the nature of an action of debt before some Justice of the Peace. The tax shall become due and payable the day the party commences business, and shall be for twelve months, unless the party elects to take out license for less time. The Mayor may also issue distress warrants against delinquents to collect the taxes upon application of the Recorder or Marshal, and against parties who are not delinquents who may be about to move out of the corporation or county, or are fraudulently or about fraudulently to dispose of their property, upon affidavits; said warrants shall be directed to the Marshal or officer and executed by him. Said distress warrant in the hands of the officer shall give him the same power, and subject them to the same liabilities, as in case of an execution.

**Marshal or Mayor may take bond.**

Sec. 15. *Be it further enacted*, That when any person is arrested by the Marshal, without warrant in hand, he shall proceed to have one issued and served, and the party notified of the time and place of trial. After service of warrant, in any case, the Marshal or Mayor may take bond of said party with good security, payable to the corporation, in the sum of one hundred dollars, conditioned to be void only if the party makes his personal appearance at the time and place fixed for trial, and not depart the court without leave of the court, and failure so to do to pay said one hundred dollars.

**Bond in case of appeal.**

Sec. 16. *Be it further enacted*, That any person tried and fined by the Mayor for violating any corporate ordinance, may appeal from judgment rendered to the next term of the Circuit Court, upon giving bond with good security, in the sum not exceeding two hundred

and fifty dollars, payable to the corporation, and conditioned to abide by and perform the judgment of the Circuit Court in the premises, or he may appeal under pauper oath and remain in confinement, or give good security for his personal appearance at the Circuit Court, and not depart without leave of the court. Said appearance bond shall be in the sum of one hundred dollars, and payable to the corporation.

Sec. 17. *Be it further enacted*, That the obligations of the official bonds and the appearance bond herein mentioned, shall be joint and several, and any one or all of the parties to any one of said bonds, may be sued for breach thereof before any Justice of the Peace having jurisdiction, of the amount claimed or sued for, or before the Circuit Court.

Sec. 18. *Be it further enacted*, That the police authority of the corporation and its officers, shall extend one mile beyond the corporate limits in every direction to prevent and suppress fighting, quarreling, loud cursing or swearing, or other unnecessary noise, or boisterous conduct, disorderly assemblies or meetings, and for these purposes the Board of Mayor and Aldermen may enact such laws as may be necessary to carry out the object and meaning of this section, and the Marshal shall have the same right, power, and privilege, without warrant in hand, to arrest any offenders against said ordinances anywhere in the corporate limits, or within one mile of the corporation line, when the offense has been committed in the Marshal's presence, or near enough for him to see or hear it committed, and with a warrant in hand, to arrest such offenders anywhere in the county.

Sec. 19. *Be it further enacted*, That the Board of Mayor and Aldermen shall have power upon application of any tax-payer to reduce or equalize and correct any illegal assessment; the Recorder shall assess for taxation any omitted property and polls that may come to his knowledge, and collect the tax theron and shall also assess any omitted property for any previous years and collect same by suit or otherwise as the board may direct.

Sec. 20. *Be it further enacted*, That in the absence of the Marshal or his incapacity from any cause to serve, any Constable or Deputy Sheriff may execute papers and discharge all the duties of the Marshal, or the Mayor may appoint a special officer to act in capacity of Marshal, and in the absence of the Mayor, or his

Police authority.

Power to correct  
and equalize  
assessments.

In cases of  
incapacity or  
vacancy in  
office.

incapacity, the Recorder may act as Mayor *pro tempore*, and the removal of the Mayor or Marshal or any Aldermen beyond the corporate limits will create a vacancy in said office.

Committees.

Sec. 21. *Be it further enacted*, That the Mayor and Aldermen shall have power to appoint all necessary and standing special committees, fix the number of each committee, and designate the duties of said committees, and may prescribe the mode of procedure of said committees.

In case of a tie vote.

Sec. 22. *Be it further enacted*, That in case of a tie vote for Mayor, the Aldermen elect shall meet and organize by electing one of their number Mayor *pro tempore*, who shall for the time being perform all the duties and be subject to all liabilities, and the board shall refer the election of Mayor back to the people as soon as possible. In case of a contest in the election of Mayor on any other grounds than that of a tie vote, the board shall after organizing and electing a Mayor *pro tempore*, as above, decide as soon as possible who is entitled to the office. The board may determine its own rules of proceeding and prescribe the punishment of its membership for non-attendance, disorderly conduct or other improper conduct, and enforce the same; two-thirds of all the members concurring may expel a member for such conduct, and the board may fully investigate charges against any of its members or officers, and the Mayor or Recorder at the request of the board is hereby empowered to issue subpœnas or other papers and compulsory processes to compel the attendance of persons and production of books and papers before the board or any committee of the same. The stated meetings of the board may be held at such times as the Board of Mayor and Aldermen may determine by ordinance.

Pavements.

Sec. 23. *Be it further enacted*, That the Board of Mayor and Aldermen shall have power by ordinance to require the owners of business houses to place good and substantial brick or stone pavement in front of their houses.

Sec. 24. *Be it further enacted*, That the Board of Mayor and Aldermen shall have power to pass all by-laws and ordinances necessary and proper to enforce the powers granted not inconsistent with the Constitution and By-laws of the United States and the State of Tennessee; and said corporation shall enjoy all the rights, privileges and powers which are

now granted and conferred by law upon municipal corporations of a like kind within State of Tennessee.

Sec. 25. *Be it further enacted*, That nothing in this Act shall be construed to interfere with the present <sup>Present officers to hold until next election.</sup> Mayor and Aldermen, and other officers of the corporation, but they shall proceed to execute the provisions of this Act and hold their offices until the next regular election, as herein provided, and until their successors are elected and qualified.

Sec. 26. *Be it further enacted*, That all laws and parts <sup>Laws, etc., repealed.</sup> of laws in conflict with the provisions of this Act, together with all provisions for any charter of incorporation and amendments thereof, be, and the same are hereby, repealed; also that the charter of incorporation granted under the general incorporation laws of the State be, and the same is hereby, repealed and abolished.

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 225.

AN ACT to require all railroad companies to provide convenient, commodious, and comfortable waiting rooms for passengers, at each railroad station where tickets are sold and trains stop.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That every railroad company shall provide, at or near every town containing as many as three hundred inhabitants, a waiting room*

for the use and accommodation of passengers or persons awaiting the arrival of trains.

Sec. 2. *Be it further enacted*, That said waiting room shall be amply commodious to accommodate the traveling public; it shall be supplied with comfortable seats, and with ample heating facilities; it shall be well lighted and heated, and properly ventilated, and shall be kept clean and respectable.

Sec. 3. *Be it further enacted*, That the waiting room shall be open for the occupation of passengers at least one hour before the time for the arrival of each passenger train, or each train carrying passengers that stop at such stations.

Sec. 4. *Be it further enacted*, That every railroad company which shall not comply with the provisions of this Act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined for each offense not less than ten dollars nor more than one hundred dollars.

Sec. 5. *Be it further enacted*, That this Act take effect six months from its passage, the public welfare requiring it.

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 226.

AN ACT to subject foreign corporations to suit in this State.

Foreign corporations subject to suit in this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That any corporation claiming existence under the laws of any other State, or of

any country foreign to the United States found doing business in this State, shall be subject to suit here, to the same extent that corporations of this State are, by the laws thereof, liable to be sued so far as relates to any transaction had in whole or in part within this State, or any cause of action arising here, but not otherwise.

**Sec. 2.** *Be it further enacted,* That any corporation having any transaction with persons or having any transaction concerning any property situated in this State, through any agency whatever, acting for it within the State, shall be held to be doing business here within the meaning of this Act.

**Sec. 3.** *Be it further enacted,* That process may be served upon any agent of said corporation found within the county where the suit is brought, no matter what character of agent such person may be; and in the absence of such an agent, it shall be sufficient to serve the process upon any person, if found within the county where the suit is brought, who represented the corporation at the time the transaction out of which the suit arises took place, or if the agency through which the transaction was had be itself a corporation, then upon any agent of that corporation upon whom process might have been served if it were the defendant. The officer serving the process shall state the facts, upon whom issued, etc., in his return, and service of process so made shall be as effectual as if a corporation of this State were sued, and the process has been served as required by law; but in order that defendant corporation may also have effectual notice, it shall be the duty of the Clerk to immediately mail a copy of the process to the home office of the corporation by registered letter, the postage and fees for which shall be taxed as other costs. The Clerk shall file with the papers in the cause a certificate of the fact of such mailing, and make a minute thereof upon the docket, and no judgment shall be taken in the case until thirty (30) days after the date of such mailing.

**Sec. 4.** *Be it further enacted,* That it shall be the duty of the plaintiff to lodge at the home office of the company, with any person found there, a written notice from him or his attorney, stating that such suit has been brought, accompanied by a copy of the process and the return of the officer thereon, of which fact affidavit shall be made by the person lodging the Plaintiff to lodge with home office a written notice.

same, stating the facts and with whom the notice was lodged, or else the plaintiff or his attorney shall make an affidavit that he has been prevented from serving such notice by circumstances which should reasonably excuse giving it, which circumstances the affidavit of the plaintiff or his attorney shall particularly state; and no judgment shall be taken until one or the other of these affidavits shall be filed and the court be satisfied that the notice has been given the defendant, or that the excuse for not doing so be sufficient.

*Sec. 5. Be it further enacted, That this Act take effect from and after its passage, the general welfare requiring it.*

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 227.

**AN ACT to change the county line between the counties of Union and Claiborne.**

*SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the line between the counties of Union and Claiborne be so changed as to include all of the farms of Harvey Williamson, Berry Ellison, and Josiah Smith, in the county of Union, the county in which they now live.*

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 228.

### AN ACT to change the lines between Cannon and DeKalb Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county lines between Cannon and DeKalb Counties be so changed as to include wholly within the bounds of Cannon County the lands of J. C. Jones, which are as now situated divided by the county lines between Cannon and DeKalb, so as to place forty-two acres of said J. C. Jones' land lying in Cannon, and seventeen acres lying in DeKalb, and to attach said seventeen acres to Cannon, and to detach same from DeKalb County.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 229.

**AN ACT** to amend Section 5336, Milliken & Vertrees' Code, to make uniform the price of all legal advertising when publication is required, and to require affidavit of publisher.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That Section 5336, Milliken & Vertrees' Code, be so amended as to read: For all legal advertising of sales under a decree of court, non-resident, attachment, insolvent, administrator, or notice of sale of land under mortgage, judicial process, etc., per square, or inch (Brevier), eighty cents for first insertion, and forty cents for each subsequent insertion.*

**Sec. 2.** *Be it further enacted, That the Clerk of the court shall require the affidavit of the publisher, or foreman, of any office making publication, that the same has been made the full number of times required by law, the same to be filed as proof before said court, and that no publisher shall be entitled to pay until the required affidavit is made.*

**Sec. 3.** *Be it further enacted, That all laws or parts of laws in conflict with this Act be, and the same are hereby, repealed, and that this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 280.

AN ACT to authorize the Mayor and Aldermen of the town of Dyersburg, Dyer County, to borrow the sum of five thousand dollars for the purpose of erecting and furnishing, or assisting in erecting and furnishing, school buildings in said town, and to issue interest-bearing negotiable bonds for said amount, and to levy and collect taxes for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Dyersburg, Dyer County, be, and they are hereby, authorized and empowered to borrow five thousand dollars for the purpose of erecting and furnishing, or assisting in erecting and furnishing, buildings in said town to be used as school buildings for the use and benefit of the children of school age in said town, and to this end said Mayor and Aldermen of the town of Dyersburg are hereby authorized and empowered to issue negotiable interest-bearing coupon bonds to the amount of said sum of five thousand dollars, and to negotiate and sell the same for the purpose of raising the money to erect, furnish and equip said school building, or assist in so doing, for the use and benefit of said town. Said bonds shall be signed by the Mayor and Recorder of said town, and the corporate seal of said town shall be affixed to each before being issued. They shall be issued in such denominations as the said Mayor and Aldermen shall fix, and shall be payable at the end of ten years from the date of their issuance, or sooner, at the option of the Mayor and Aldermen of said town, and shall bear interest at the rate of six per cent. per annum, payable semi-annually, to be evidenced by coupons attached to each of said bonds, but shall not be sold or disposed of at less than dollar for dollar of their face value.

SEC. 2. *Be it further enacted,* That before said bonds shall be issued the Mayor and Aldermen shall cause an election to be held by the City Marshal in said town to submit to the qualified voters therein the question whether they are in favor of issuing bonds or not, and said Marshal shall give thirty (30) days' notice of the time, places, and purposes of said election, and if three-fourths of the votes cast at said

election are in favor of issuing said bonds, then the said Mayor and Aldermen shall issue said bonds as prescribed in the foregoing section; those in favor of the issuance of the bonds will have printed or written on their tickets, "For the Bonds," and those opposed, "Against the Bonds."

Special tax.

Sec. 3. *Be it further enacted*, That upon the issuance of said bonds in conformity with the foregoing sections, they shall be a valid and binding debt and obligation of the Mayor and Aldermen of the town of Dyersburg, and the Mayor and Aldermen of the town Dyersburg are hereby authorized and empowered to levy and collect annually, beginning with the year 1887, while said bonds, or any of them, are outstanding, a special tax not exceeding the rate of twenty cents on the one hundred dollars assessed value on all the taxable property within the corporate limits of said town, and taxable under the laws of the State for corporation purposes, and to levy and collect a special privilege tax or license tax upon all pursuits, avocations, and business carried on within the corporate limits of said town, required by law of the State to pay a privilege tax to the State, not exceeding the rate or amount of privilege tax on each business for State purposes, for the purpose of paying the interest on said bonds as it becomes due, and to create a fund with which to pay off and retire the bonds herein authorized to be issued.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 281.

**AN ACT** to authorize the County Trustee of Shelby County to sell a vacant lot, known as the Male Academy Lot, in the town of Raleigh.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the County Trustee of Shelby County, Tennessee, be, and is hereby, authorized and empowered to sell and convey by general warranty deed a vacant lot of ground, containing about one acre, fronting on the Raleigh and Randolph road on the north side of the town of Raleigh in said county, and known as the "Old Male Academy Lot," and the said Trustee is hereby authorized to place the proceeds of said lot to the credit of the general school fund of the State.

**Sec. 2.** *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 282.

**AN ACT** to protect deer in the counties of Johnson, Carter, and Sullivan.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor

to hunt, chase, wound, or kill any wild deer in the counties of Johnson, Carter, and Sullivan.

SEC. 2. *Be it further enacted*, That any person violating the provisions of the first section of this Act shall be liable to presentment and indictment, and on conviction shall, for every offense, pay a fine of fifty dollars, and shall be liable to imprisonment in the county jail for a period not exceeding ninety days, at the discretion of the court trying the cause.

Passed March 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 233.

AN ACT to amend an act entitled "A Bill to establish taxing districts in this State, and to provide the means of local government for the same," being Chapter 11 of the Acts of 1879.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of Section 3 of the act aforesaid as confers power on said taxing districts "to compel lot owners to make safe and proper sidewalks of brick or plank adjoining their lots," be, and the same is hereby, amended to read, "to compel lot owners to make safe and proper sidewalks of brick, plank, stone, or granolith.

**SEC. 2. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.**

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 284.

**AN ACT to amend the Act of 1777, Chapter 25, Section 2, as codified in Milliken & Vertrees' Code, Section 2277, and to make burning woods a misdemeanor.**

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That hereafter it shall be a misdemeanor for any person to violate any of the provisions of the Act of 1777, Chapter 25, Section 2, as codified in Section 2277, of Milliken & Vertrees' Code, and upon conviction of such offense, shall be fined not less than five dollars, nor more than fifty dollars, and shall be subject to all actions for penalties and damages that he is now subject to by existing laws.**

**SEC. 2. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.**

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 285.

AN ACT to change the time of holding the Circuit Court of Knox County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the time of holding the Circuit Court of Knox County be, and the same is hereby, changed so that the terms thereof shall commence on the fourth Mondays of February, May, and October, instead of the first Mondays of said months as heretofore, and that all laws or parts of laws in conflict with this Act be, and the same are hereby, repealed.*

Sec. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 286.

AN ACT to repeal Sections 4956 to 4959 inclusive, and to require all the Justices of the Peace to attend the Quarterly Courts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That each and every Justice of the Peace from each civil district and ward in this*

State shall be required to attend each and every session of the Quarterly County Courts of this State and allowed to vote and draw pay for attendance.

SEC. 2. *Be it further enacted*, That three-fifths of the Justices of each county shall constitute a quorum for the transaction of the business of the Quarterly Courts.

SEC. 3. *Be it further enacted*, That each Justice shall be allowed a per diem of one dollar and fifty cents.

SEC. 4. *Be it further enacted*, That Sections 4956, 4957, 4958, and 4959, and all other acts in so far as they conflict with this Act, are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 287.

AN ACT to change the corporation line of the town of Pulaski, Giles County, so as to include the house and lot of Joseph Patterson within said corporation limits.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporation of the town of Pulaski be changed as follows: Beginning at the northeast corner of the lot of Joe Patterson, running thence south with said Patterson's line, thence west with said Patterson's line, thence north with said Patterson's line to the corporation line, so as to include all of said Patterson's lot.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 238.

### AN ACT to create and charter The Farmers' and Laborers' Mutual Association.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That F. H. Hendricks, D. W. Frizell, Wilson McGruder, S. H. Cloan, and J. W. McEntire, or such of them as may accept the provisions of this Act, their associates, successors, and assigns, be, and they are hereby, incorporated and made a body politic and corporate, under the name and style of The Farmers' and Laborers' Mutual Association, and as such are authorized and empowered to organize themselves into Supreme, Grand, and Subordinate Lodges, in the several States, and counties, and territories, respectively, and to enact and adopt such constitution, laws, and by-laws and ordinances, as they may deem proper for the government and control of their order; and by the name aforesaid shall be known in law, and shall have perpetual succession, and have power to sue and be sued, plead and be impleaded, defend and be defended, in all courts, whether in law or equity; and may make and have a common seal, and alter or renew the same at pleasure. Said corporation may own such per-

sonal and real estate as it may acquire, to be held by trustees of the order, to be elected or appointed by the order in such way and manner as it may adopt and provide.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 239.

AN ACT to amend Section 4 of Chapter 127 of the Acts of 1881  
(Milliken & Vertrees' Code, Section 1679).

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 4 of Chapter 127 of Acts of 1881, approved — day of —, 1881 (Milliken & Vertrees' Code, Section 1679), be, and the same is hereby, so amended as to read as follows: That on the petition of a majority of the qualified voters residing at the time of the filing of said petition within the corporate limits of any such town or city, it shall be the duty of the County Court to appoint three Commissioners for the government of said city or town. Said Commissioners shall be twenty-one years old, and reside within the limits of said extinct corporation; their term of office shall be two years, and until their successors are elected by the qualified voters in said district, and qualified. Before entering upon their duties, they shall make an oath to support the Constitution of the United States and the State

of Tennessee, and to faithfully perform their duties. The territorial limits of said Commissioners shall be confined to the limits of said corporation, as they were when it became extinct, except the same shall be extended or contracted as prescribed.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it, and all laws in conflict be repealed.

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 240.

AN ACT to establish and define a uniform standard of weights and measures in the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the following shall be the legal and uniform standard of weights and measures in this State for the sale and purchase of the following named products of the farm, orchard, and garden, and articles of merchandise, to-wit:

Apples, green, shall be .....	2 $\frac{1}{2}$ bush. per bbl.
Apples, green, shall be .....	50 lbs. per bush.
Apples, dried, shall be.....	24 lbs. per bush.
Apple seed shall be.....	40 lbs. per bush.
Blue-grass seed shall be.....	14 lbs. per bush.
Beans, dried, shall be.....	60 lbs. per bush.
Beans, green, in pods, shall be.....	30 lbs. per bush.
Beans, green, in pods, shall be.....	2 $\frac{1}{2}$ bush. per bbl.
Beans, castor, shall be.....	46 lbs. per bush.

Beets shall be.....	50	lbs. per bush.
Blackberries shall be .....	48	lbs. per bush.
Blackberries, dried, shall be.....	28	lbs. per bush.
Bran shall be.....	20	lbs. per bush.
Broom corn seed shall be.....	42	lbs. per bush.
Buckwheat shall be.....	50	lbs. per bush.
Barley shall be.....	48	lbs. per bush.
Beef, net, shall be.....	200	lbs. per bbl.
Carrots shall be.....	50	lbs. per bush.
Cabbage shall be.....	50	lbs. per bush.
Cherries, with stems, shall be.....	5	lbs. per bush.
Cherries, without stems, shall be...	64	lbs. per bush.
Corn, shelled, shall be.....	56	lbs. per bush.
Corn, in ear, shucked, shall be.....	70	lbs. per bush.
Corn, in ear, with shucks, shall be	74	lbs. per bush.
Corn, green, with shucks, shall be..	100	lbs. per bush.
Corn, green, with shucks, shall be	2½	bush. per bbl.
Corn, matured, with shucks, shall be	5	bush. per bbl.
Corn, pop, shall be.....	70	lbs. per bush.
Corn-meal, unbolted, shall be.....	48	lbs. per bush.
Corn-meal, bolted, shall be.....	50	lbs. per bush.
Cucumbers shall be.....	48	lbs. per bush.
Chestnuts shall be.....	50	lbs. per bush.
Cement shall be:.....	80	lbs. per bush.
Coke shall be.....	40	lbs. per bush.
Charcoal shall be.....	22	lbs. per bush.
Coal, stone, shall be.....	80	lbs. per bush.
Canary seed shall be.....	60	lbs. per bush.
Clover seed, red and white, shall be	60	lbs. per bush.
Cotton seed shall be,.....	28	lbs. per bush.
Flax seed shall be.....	56	lbs. per bush.
Flour shall be .....	196	lbs. per bbl.
Fish shall be .....	200	lbs. per bbl.
Gooseberries shall be.....	48	lbs. per bush.
Grapes, with stems, shall be.....	48	lbs. per bush.
Grapes, without stems, shall be....	60	lbs. per bush.
Horse radish shall be.....	50	lbs. per bush.
Walnuts shall be.....	50	lbs. per bush.
Hickory nuts shall be .....	50	lbs. per bush.
Hair, plastering, shall be.....	8	lbs. per bush.
Hominy shall be.....	62	lbs. per bush.
Hungarian seed shall be.....	48	lbs. per bush.
Hemp seed shall be.....	44	lbs. per bush.
Land plaster shall be.....	100	lbs. per bush.
Lime, unslaked, shall be.....	80	lbs. per bush.
Lime, slaked, shall be.....	40	lbs. per bush.

Liquids shall be.....	42	gals. per bbl.
Melon, cantaloupe, shall be.....	50	lbs. per bush.
Melon, cantaloupe, shall be.....	2 $\frac{1}{2}$	bush. per bbl.
Millet, German, seed, shall be.....	50	lbs. per bush.
Millet, Missouri, shall be.....	50	lbs. per bush.
Millet, Tennessee, shall be .....	50	lbs. per bush.
Orchard-grass seed shall be .....	14	lbs. per bush.
Osage orange seed shall be.....	33	lbs. per bush.
Oats seed shall be.....	32	lbs. per bush.
Onions, matured, shall be.....	56	lbs. per bush.
Onions, top buttons, shall be.....	28	lbs. per bush.
Onions, button sets, shall be.....	32	lbs. per bush.
Parsnips shall be.....	50	lbs. per bush.
Peas, dry, shall be .....	60	lbs. per bush.
Peas, green, in hull, shall be.....	30	lbs. per bush.
Peas, green, in hull, shall be .....	2 $\frac{1}{2}$	bush. per bbl.
Peaches, matured, shall be.....	50	lbs. per bush.
Peaches, dried, shall be.....	26	lbs. per bush.
Pears, matured, shall be .....	56	lbs. per bush.
Pears, dry, shall be.....	26	lbs. per bush.
Plums shall be.....	64	lbs. per bush.
Pie-plant shall be.....	50	lbs. per bush.
Potatoes, Irish, shall be.....	60	lbs. per bush.
Potatoes, Irish, shall be.....	2 $\frac{1}{2}$	bush. per bbl.
Potatoes, sweet, shall be.....	2 $\frac{1}{2}$	bush. per bbl.
Potatoes, sweet, shall be.....	50	lbs. per bush.
Peanuts shall be .....	23	lbs. per bush.
Pork, net, shall be .....	200	lbs. per bbl.
Quinces, matured, shall be.....	48	lbs. per bush.
Raspberries shall be.....	48	lbs. per bush.
Rye seed shall be.....	56	lbs. per bush.
Red-top seed shall be.....	14	lbs. per bush.
Rye-grass, Italian, seed, shall be...	20	lbs. per bush.
Sage shall be.....	4	lbs. per bush.
Salt shall be.....	50	lbs. per bush.
Sorghum molasses shall be.....	12	lbs. per gal.
Sorghum seed shall be... .....	50	lbs. per bush.
Strawberries shall be.....	48	lbs. per bush.
Salads, turnips, kale, shall be.....	30	lbs. per bush.
Salads, mustard, spinach, shall be.	30	lbs. per bush.
Turnips shall be.....	2 $\frac{1}{2}$	bush. per bbl.
Turnips shall be.....	50	lbs. per bush.
Tomatoes shall be.....	56	lbs. per bush.
Timothy seed shall be.....	45	lbs. per bush.
Velvet-grass seed shall be.....	7	lbs. per bush.
Wheat shall be.....	60	lbs. per bush.

**Sec. 2. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.**

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 241.

**AN ACT** to amend an act entitled "An Act to provide for the organization of corporations, passed March 19th, 1875, and approved March 23d, 1875, being Chapter 142, of the Acts of 1875, so as to provide, by general law, for the organization of companies or corporations for the purposes of manufacturing, canning, and packing all kind of vegetables, fruits, and meats, including corn and any other articles of commerce, and selling and disposing of the same, and empowering such corporation to buy, own, lease, or hold all such real estate and personal property, machinery, etc., as may be necessary or requisite to successfully carry on such corporation, and to sell and mortgage and otherwise convey the same.

**SECTION 1. Be it enacted by the General Assembly of** Act amended.  
**the State of Tennessee, That an act passed March 19th, 1875, and approved March 23d, entitled "An Act to provide for the organization of corporations," being Chapter 142 of the Acts of the General Assembly of Tennessee, of 1875, and carried into Milliken & Vertrees' Code of Tennessee, from Section 1691 to 1990, inclusive, be, and the same is hereby, amended so as to authorize and provide for the organization and chartering of companies and corporations in the State of Tennessee to manufacture, pack, and can all kinds of vegetables, corn, and meats, or any other articles, and to sell and dispose of the same; and also to purchase, hold, own, or lease, and improve such real**

estate as they may see proper, for the purposes of such corporation; erect machinery thereon, erect depots for sale of products, and buy and hold such personal property as may be necessary for the purposes and uses of the corporation, sell, convey, or mortgage, by trust deed or otherwise, any of such property; issue bonds and secure the same in any manner it may deem proper; and do all other things necessary and proper to carry out the objects, purposes, and interests of such corporation.

Form of charter.

SEC. 2. *Be it further enacted*, That the form of a charter of such corporation for the purpose of doing a general canning and packing business of fruits, vegetables, corn, and meats, of all kinds, shall be as follows:

STATE OF TENNESSEE—CHARTER OF INCORPORATION.

*Be it known*, That [here insert the names of five or more persons, not under twenty-one years of age, applying for the charter], are hereby constituted a body politic and corporate, by the name and style of [here insert name], for the purpose of manufacturing, canning, and packing all kinds of fruits, vegetables, corn, and meats, and other articles, and to sell and dispose of the same, and to purchase, rent, or lease real estate, and improve the same, sufficient in amount to answer all the purposes of such corporation, with power to convey, sell, or mortgage the same, or execute trust deed thereon, etc., and to manufacture cans or packages of tin or other material for the purposes of said corporation, and to do all the other things necessary to carry out the objects and purposes of said corporation. The powers of said corporation, in addition to the foregoing, shall be as follows: [Here insert the general powers as contained in Section 5 of said Acts of General Assembly of Tennessee, passed March 19th, 1875, and approved March 23d, 1875, being Chapter 142, of the Acts of 1875, on pages 236, 237, and 238, of said Acts, entitled "An Act to provide for the organization of corporations," and also the powers as carried into and contained in Milliken & Vertrees' Code of Tennessee, Sections 1704, 1705, 1706, 1707, 1708, 1709, and other sections of the Code.]

Additional powers.

SEC. 3. *Be it further enacted*, That corporations created and organized under this Act, in addition to the other powers, shall have power to purchase, erect,

own, and convey all such machinery, materials, and other personal property, as may be pertinent, useful, and necessary, in carrying on a general packing and canning business of vegetables, fruits, corn, and meats of all kinds, and other articles, including the power or right to manufacture cans and other packages of tin, wood, or other material, necessary for such corporation.

SEC. 4. *Be it further enacted*, That the charter of corporations or companies provided for by this Act shall be obtained in the manner pointed out by Section 26 of said Acts of Tennessee, passed March 19th, 1875, and approved March 23d, 1875, providing for the organization of corporations, being Chapter 142 of said Acts of 1875, and as carried into Milliken & Vertrees' Code of Tennessee.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 242.

AN ACT to amend Section 6309 of Milliken & Vertrees' Code, to regulate the collection of jailers' fees.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Section 6309 of Milliken & Vertrees' Code be so amended as to read that the accounts of Sheriffs of the various counties of this State for keeping prisoners in their respective jails charged*

with crime for which the State may eventually become liable, may, in the discretion of the court, be certified upon the adjournment thereof, to the Comptroller, who shall issue his warrant for same to ~~any~~ person authorized to receive it, provided the Sheriff's having such bills shall first make oath as to the correctness of said bills, before the Clerk of the Circuit or Criminal Court, who shall fix his certificate to same, and shall then present and read the same in open court to the Judge and Attorney-General for inspection and allowance, if correct.

Sec. 2. *Be it further enacted*, That the Clerk of the court shall then be required to enter so much of said bill as approved and allowed by the Judge and Attorney-General upon the minutes of his court, together with the affidavit of Sheriff, and shall certify the amount of said bill in writing on the face of the original, as is allowed, under his seal of office, and forward same to the proper authorities for payment, for which the Clerk shall receive a fee of fifty cents, to be paid by the party to whom the bill belongs.

Sec. 3. *Be it further enacted*, That the Comptroller shall not issue warrants for any accounts of Sheriffs for boarding prisoners until the bill shows on its face that all the requirements of this Act have been complied with.

Sec. 4. *Be it further enacted*, That if such costs are afterwards collected from the defendant or his sureties, it shall be turned over to the Treasurer of the State by the Clerk of the court as fines are paid over.

Sec. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 243.

### AN ACT to prevent the importation of diseased cattle into the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any person or persons, association, company, or corporation, who shall knowingly bring into, or cause to be brought into this State, any cattle which are affected with, or which have been exposed to pleuro-pneumonia, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding five hundred dollars, nor less than two hundred dollars, and each animal so brought in shall constitute a special offense.

SEC. 2. *Be it further enacted,* That any person or persons, association, company, or corporation, who shall knowingly receive on consignment, by purchase or otherwise, any cattle which are affected with, or which have been exposed, to pleuro-pneumonia, whether such animals have been brought into the State from elsewhere or not, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than fifty dollars, nor more than one hundred dollars, and each animal so received shall constitute a separate offense.

SEC. 3. *Be it further enacted,* That knowledge had by any member of an association, company, or corporation, shall be deemed the same as if such knowledge was had in common by all the members of the same, and any attempt to evade the provisions of this Act shall be construed as a confession of guilt.

SEC. 4. *Be it further enacted,* That when all the circumstances of the case indicate that knowledge might have been had by the exercise of that prudence which men usually display in protecting their own interests, it shall be deemed sufficient to convict, in view of the great interests exposed and the extreme difficulty of proof.

SEC. 5. *Be it further enacted,* That any person or persons, association, company, or corporation, wishing to bring cattle into this State from any locality, or within fifty miles of any locality, where pleuro-pneumonia has prevailed or existed, within the past ninety days, shall first obtain permission from the

Must obtain  
permission of  
Governor.

Governor of this State, and in applying for permission shall give the names of owners, who shall consent unconditionally to have said cattle examined or inspected as to health, by any veterinary surgeon acting in the service of this State or of the United States, and upon this being done the Governor may order such inspection; *Provided*, The cattle owners shall secure payment for all necessary expenses of the same; and said cattle shall not be brought into the State unless accompanied with a clear bill of health.

*Penalty for violation.*

SEC. 6. *Be it further enacted*, That any person or persons, association or company, upon being convicted of bringing any cattle into the State from any infected region, as provided in Section 5 of this Act, and otherwise than as provided therein, shall be guilty of a misdemeanor, and shall be fined not less than two hundred dollars, nor more than five hundred dollars, for each offense.

SEC. 7. *Be it further enacted*, That the Attorney-General and District Attorneys of the State are hereby charged with the prosecution of offenses under this Act, and as compensation for such services shall receive the same as now provided by law.

Passed March 29th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 244.

**AN ACT** to make plaintiffs liable for commission of Sheriff or Constable in certain cases.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the plaintiff in all judgments shall be liable to any Sheriff or Constable for his commission on the amount so received if he or she, or his or her agent or attorney, shall receive any or all of said judgment after an execution has been issued on said judgment and given into said officers' hands for collection.*

**SEC. 2.** *Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed, and that this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 29th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 245.

AN ACT to amend Section 3384 of the Code, allowing guardians to loan money of their wards on mortgages on real estate.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Section 3384 of Milliken & Vertrees' Code be so amended as to read after the words, "good and sufficient sureties," in the fourth and fifth lines of Section 3384 of said Code, the following words: "Or by mortgage on real estate, the amount loaned not to exceed one-half the real, actual value of the real estate mortgaged."*

SEC. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed March 29th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 246.

AN ACT to keep all of the State Reports of the Supreme Court of Tennessee in the respective offices of the Clerks of the Circuit Courts, County Courts, and Clerks and Masters of the Chancery Courts, and Clerks of the Criminal Courts, and prescribing their duties in regard to them.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of all Clerks of the Circuit, County, and Criminal Courts of*

this State, and all Clerks and Masters of the Chancery Courts of this State, to faithfully preserve and safely keep at all times in their respective offices, for the use of the court and the bar, all of the volumes of reports of the decisions of the Supreme Court of Tennessee; and to accomplish this object, said respective Clerks shall make out and file a report of the first term of his court in each year showing the number and names of each report in his office, and spread the same at length on the minutes of said court; and if it shall appear that any of said reports are missing, the court shall make all needful orders to compel his said Clerk to collect up the missing reports into his office, so as to always have them there.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## CHAPTER 247.

AN ACT to amend Sections 14, 15, 16, 17, and 18 of an act passed April 7, 1881, to provide for the ventilation of coal mines and collieries, and the protection of human life therein, of the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this Act, there shall be appointed by the Governor of this State, one Mine Inspector for the entire State, whose term of office shall be four years, beginning 1st day of April, 1887, and said Mine Inspector shall

be subject to a removal from office by the Governor when convicted of any neglect in the discharge of his duties or malfeasance in office; said Mine Inspector shall be a practical miner of not less than five years' practical experience in mining, having a full and practical knowledge of the different systems of working and ventilating coal mines or collieries, and of the nature and properties of all noxious gases generated in said coal mines or collieries.

**Oath.**

SEC. 2. *Be it further enacted*, That said Inspector, before entering upon the discharge of the duties of his office, take an oath or affirmation to discharge the same faithfully and impartially, and without favor or preference, which oath or affirmation shall be indorsed on his commission, and said commission shall be forthwith recorded in the office of Secretary of State, and said Inspector shall also give bond in the sum of twelve thousand dollars, with two approved sureties as approved by the Governor, for the faithful performance of his duty while in office, and said bond shall also be recorded and placed on file in the office of the Secretary of State.

**Compensation.**

SEC. 3. *Be it further enacted*, That said Inspector shall receive in compensation for his services as such, the salary of twelve hundred dollars per annum, and traveling expenses not exceeding five hundred dollars per annum, to be paid quarterly when approved by the Governor.

**To report receipts and expenditures to Governor.**

SEC. 4. *Be it further enacted*, That the Comptroller is hereby authorized to issue his warrant quarterly upon the Treasury to the Inspector for one-fourth of the amount herein appropriated, and said Inspector shall make a quarterly report to the Governor of the receipts and expenditures of his office, and the same shall be approved by the Governor before any further amount is drawn by the Inspector from the Treasury.

**Appropriation.**

SEC. 5. *Be it further enacted*, That for the purpose of practically carrying out the designs for which this office is created there shall be an annual appropriation of the sum of seventeen hundred dollars out of which shall be paid the salary of the Inspector and so much of his traveling expenses as shown by approved vouchers and receipts presented quarterly.

**Location of office.**

SEC. 6. *Be it further enacted*, That the office of Inspector of Mines shall be kept in the city of Chattanooga, Tennessee, together with all maps and plans of all mines being worked in the State and also all

records, and correspondence, papers, and apparatus, and property pertaining to his official duties, belonging to the State, all of which shall be delivered without delay to his successor in office and for every thirty days of delay to turn over said maps, papers, books, records, correspondence, property, and apparatus belonging to said office, said delinquent shall pay a fine of not less than one hundred nor more than two hundred dollars and all cost accruing in the case, said fine going one-half to the prosecutor and and one-half to the State.

Sec. 7. *Be it further enacted*, That said Inspector shall give his whole time to the duties of his office, and while holding said office shall not act as an agent or manager of any mine or mining corporation, or be interested in operating any mine or colliery, and he shall annually, on or before the first day of January, make his report to the Governor, of his proceedings during the year preceding and the condition and operation of the mines in the State, enumerating all accidents in or about the same and give all of such other information as he may think useful and proper, and make such suggestions as may be deemed proper for future legislation on the subject of mines and collieries.

Inspector to give his whole time to duties of his office.

Sec. 8. *Be it further enacted*, That said Inspector shall inspect all mines or collieries once every three months that are being worked, and it shall be lawful for him to enter, inspect, and examine any mine in this State, and the works and machinery belonging thereto, either outside or on the inside of said mines collieries, where human life is to be protected, and to see that the provisions of this Act are enforced and obeyed at all times, by night or by day, where it is reasonably in the power of human skill to do so; but at no time is he allowed to unnecessarily obstruct or impede the working of any mine or colliery; the owners or agents of said mines or collieries are hereby required to furnish the means necessary for such entry and inspection by the Inspector, and said Inspector shall make a record of said inspection, noting the time and all material facts connected with the case and place.

Mines to be inspected every three months.

Sec. 9. *Be it further enacted*, That it shall be the duty of the person or persons having charge of any

In case of loss of life or serious accident.

mine or colliery, wherein any loss of life shall occur by accident connected with the working of such mine or colliery, either by explosion or any other means, or any serious accident should occur to any employe working in or about said mines or collieries, such person or persons shall give notice forthwith, by mail or otherwise, to the Inspector of Mines, and should the death of any one result from the accident or explosion, said person or persons having charge of the mine or colliery shall also give notice to the Coroner of the county wherein the loss of life occurred, and the Coroner shall hold an inquest upon the body of the person or persons whose death has been caused thereby, and inquire into the cause thereof, and return a copy of the verdict to the Inspector of Mines, with all the testimony in the case, and on receipt of these facts from the Coroner the Inspector shall, without delay, investigate the matter and take such steps to prevent a recurrence of the accident, as provided for by the provisions of this Act; and that any person or persons having charge of any mine or colliery where any accident occurs, causing the loss of human life, failing to give notice as herein prescribed, on conviction of the same shall be subject to a fine of not less than two hundred, nor more than five hundred dollars, subject to the discretion of the Court trying the case, and all cost accruing thereon.

SEC. 10. *Be it further enacted*, That no person or persons having any personal interest in, or employed in the management of the mine or colliery when a fatal accident occurs, shall be qualified to serve on the jury impaneled for the inquest, and the Coroner shall have full power to challenge all such jurors so impaneled.

Applies to all kinds of mines.

SEC. 11. *Be it further enacted*, That the provisions of this Act shall apply to the workings of all kinds of mines that are worked in this State, either for mineral of any description or coal, and all of said mines shall come under the control of the Mine Inspector, and be subject to his orders as herein provided for, and what he may direct in connection with the working of the same for the protection of human life therein.

SEC. 12. *Be it further enacted*, That all laws, or parts of laws, in conflict with the provisions of this Act are hereby repealed.

Sec. 18. *Be it further enacted*, That this Act take effect on and after its passage, the public welfare requiring it.

Passed March 29th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*



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# RESOLUTIONS.

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27—**Acts**



# SENATE JOINT RESOLUTIONS.

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## NUMBER 1.

WHEREAS, By Act of Congress, of 25th of July, 1886, providing for the election of Senators from the several States to the Senate of the United States, it was enacted that the Legislature of each State, which shall be chosen next preceding the expiration of the term for which any Senator was elected to represent said State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress for the next ensuing term; and,

WHEREAS, By Act of Congress it was further enacted that whenever, on the meeting of the Legislature of any State, a vacancy shall exist in the representation of such State in the Senate of the United States, said Legislature shall proceed, on the second Tuesday after the commencement and organization thereof, to elect a person to fill said vacancy, in the same manner as provided for the election of a Senator for a full term; and,

WHEREAS, The time for which the Hon. H. E. Jackson was elected to represent the State of Tennessee in the Senate of the United States expires on the 4th day of March, A. D., 1887, and this General Assembly having organized on the 6th day of January, 1887; and,

WHEREAS, Since the adjournment of the last General Assembly of Tennessee, the Hon. H. E. Jackson, who was, on the — day of —, duly elected to the Senate of the United States, for the term beginning on the 4th day of March, 1881, has resigned, leaving a vacancy in said Senate to be filled by this Legislature; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That on Tuesday, the 18th day of January,*

1887, at 12 M., this General Assembly will, in separate Houses, in pursuance of said Act of Congress, and for the purpose of electing a Senator from Tennessee to the Senate of the United States, for the term beginning on the 4th day of March, A. D. 1887, and then for the election of a Senator from Tennessee to the Senate of the United States, to fill the said unexpired term of the Hon. H. E. Jackson, proceed openly, by a *viva voce* vote of each member present, to name one person for Senator in Congress from this State for the said full term, beginning on the 4th day of March, 1887, and then next thereafter, in the same way, will proceed to name one person for the Senator in Congress from this State for the said short or unexpired term.

*Be it further resolved*, That on Wednesday, the 19th day of January, 1887, at 12 M., the Senate will meet with the House of Representatives, in the hall of the House of Representatives, in joint convention, for the purpose of comparing the vote cast for each of said positions in the Senate of the United States, in each House, on the preceding day, and to declare the result thereof; and in case it be then ascertained that no election was made by the vote of the Houses in separate session, for either or both of said Senatorial terms, then that joint convention of the two Houses proceed to choose, by a *viva voce* vote of each member present, a person for the purpose and full term aforesaid, and after a ballot, or ballots, therefor, next thereafter shall, in like manner, proceed to choose a person for the purpose and short or unexpired term aforesaid, or in case by the said joint convention it be ascertained that on the preceding day, by the vote of the two Houses, in separate session, there was an election of a person to fill one of the said Senatorial positions, but no election to fill the other, then shall joint convention, in like manner as above named, proceed to vote for a person for the other office and term.

*Be it further resolved*, That in case there be no election on the day named above (Wednesday), for either or both of said officers and terms, then said joint convention shall meet at 12 o'clock M., in the same place on each succeeding day during the session of the Legislature, and in the order above named, take at least one vote for each of said Senatorial positions and

terms until an election has been made for said offices respectively.

Adopted January 18th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved January 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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NUMBER 2.

*Be it resolved by the General Assembly of the State of Tennessee, That the Committee on Inauguration Ceremonies be, and are hereby, instructed to decorate the hall of the House of Representatives, and supply seats, etc., and that said committee will keep an itemized account of the expenditures incurred by them, which said expenditures will be paid by the Treasurer of the State upon the warrant of the Comptroller.*

Adopted January 18th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved January 27th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 3.

*Be it resolved by the General Assembly of the State of Tennessee,* That the committees of the Senate and House on Public Buildings and Grounds be, and they are hereby, authorized and instructed to inquire into the expediency and cost of heating the Capitol building with steam, the engine and boiler for same to be located in the basement of the building.

*Be it further resolved,* That said committees are also hereby authorized and instructed to inquire into the expediency and cost of repairing and putting in first-class order the Senate Chamber and the hall of the House of Representatives, including the cost of new desks and chairs of the most improved pattern, for the members.

Adopted January 25th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved January 29th, 1887.

ROBT. L. TAYLOR.  
*Governor.*

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NUMBER 4.

WHEREAS, We have learned of the death of Maj.-Gen. John A. Logan, of Illinois, at Washington, D. C., on the 26th day of December, 1886, after a short and painful illness; and,

WHEREAS, The public services of the deceased, both in time of war and peace, have been such as to endear him to the American people; and,

WHEREAS, We recognize the deceased as possessing in a high degree the qualifications of a great soldier and statesman; and,

WHEREAS, His death is a great loss to the people of the whole country; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That we deplore the untimely death of General Logan, and do hereby tender to his widow and family our most sincere condolence.

*Be it further resolved,* That a copy of these resolutions be sent to the widow of the deceased.

Adopted January 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 16th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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NUMBER 5.

*Be it resolved by the General Assembly of the State of Tennessee,* That the Senate and House of Representatives meet in joint convention at 11 o'clock A. M., January 29th, and from day to day until an election is had, for the purpose of electing a Treasurer and Comptroller for the State in the order herein named.

Adopted January 29th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 16th 1887.

ROBT. L. TAYLOR,  
*Governor.*

## NUMBER 6.

*Be it resolved by the General Assembly of the State of Tennessee, That the Senate and House of Representatives, in joint convention, to-day elect Land Registers required for the different divisions of the State, after election of Treasurer and Comptroller.*

Adopted January 29th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 16th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## NUMBER 7.

Joint Resolution agreeing to the amendment to the Constitution, hereinafter set forth, proposed by the Forty-fourth General Assembly.

*Be it resolved by the General Assembly of the State of Tennessee, That two-thirds of all the members elected to each House agreeing thereto, that the following amendment to the Constitution of the State of Tennessee, proposed by the Forty-fourth General Assembly of the State, be agreed to, viz.: To add, as Section eighteen (18) to Article eleven (11) of said Constitution, the following:*

Section 18. No person shall manufacture for sale, or sell, or keep for sale as a beverage, any intoxicating liquors whatever, including wine, ale, and beer. The General Assembly shall, by law, prescribe regulations for the enforcement of the prohibition

herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof.

Passed February 14th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 15th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 8.

*Be it resolved by the General Assembly of the State of Tennessee, That the Printer to the State be, and is hereby, instructed to print and deliver the reports of the various State officers and institutions as follows:*

Treasurer's Report—1,000 copies for use of the House, 500 copies for use of the Senate, 500 copies for use of the Treasurer.

Comptroller's Report—3,000 copies for the use of the House, 1,000 copies for the use of the Senate, 1,000 copies for the use of the Comptroller.

Penitentiary Report—500 copies for the use of the House, 250 copies for the use of the Senate, 500 copies for the use of the officials.

Report of Insane Asylums.—The report of the Insane Asylums shall be printed in one pamphlet and there shall be printed, 250 copies for the use of the Senate, 500 copies for the use of the House, 750 copies for the use of the East Tennessee Asylum, 750 copies for the use of the Middle Tennessee Asylum, 250 copies for the use of the West Tennessee Asylum.

Report of the Commissioner of Agriculture—1,000 copies for the use of the House, 500 copies for the use of the Senate, 1,000 copies for the use of the Commissioner; *Provided, That such report shall only con-*

sist of a report of the office proper to the General Assembly, to be bound in paper, and not to exceed in extent, 312 printed pages, and in the same type as heretofore used. .

Report of the Deaf and Dumb Institute—500 copies for the use of the House, 250 copies for the use of the Senate, 1,250 copies for the use of the Institute.

Report of the Secretary of State—250 copies for the use of the House, 250 copies for the use of the Senate, 500 copies for the use of the Secretary.

Report of School for the Blind—500 copies for the use of the House, 250 copies for the use of the Senate, 1,250 copies for the use of the School.

Report of Superintendent of Public Instruction—500 copies for use of the House, 250 copies for use of the Senate, 1,750 copies for the use of the Superintendent.

*Be it further resolved*, That the reports of the above, except as above provided for, together with the Governors' Messages and the Report of the Adjutant-General, the Report of the Superintendent of the Capitol shall constitute the appendices to Journals of the Senate and House of Representatives.

Adopted February 22d, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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NUMBER 9.

WHEREAS, The year 1888 will be the centennial anniversary of the settlement of the city of Cincinnati, and of the Northwest Territory; and,

WHEREAS, The citizens of said city and of the State of Ohio have determined to signalize such anniversary by holding an Industrial Exposition, and have especially requested the co-operation and countenance of the people of Tennessee, and have asked that the Governor appoint five commissioners to represent his State at and during said exposition; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That the said Centennial Exposition, designed for the encouragement and promotion of the industrial arts, is hereby commended to the people of Tennessee as worthy of their support and patronage.

*Be it further resolved,* That His Excellency, the Governor, is hereby requested to appoint five commissioners to officially represent the State of Tennessee at said Centennial Exposition, as requested by the board of magnates thereof; *Provided,* That said commissioners shall go at their own expense.

Adopted March 14th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 15th, 1887.

ROBT. L. TAYLOR,  
*Governor*

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NUMBER 10.

WHEREAS, There have been two new civil districts created in Scott County, and two in Morgan County, and three towns incorporated in Scott County, which incorporated towns have each one additional Justice of the Peace, and since the distribution of Milliken & 'ertrees' Code; and,

WHEREAS, That in said new civil districts and incorporated towns there are eleven Justices of the

Peace that have no Codes of Tennessee of any kind therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the Secretary of State be, and is hereby, authorized to purchase eleven Milliken & Vertrees' Codes of Tennessee, seven of which he shall forward to the said Justices in Scott County, and four of which he shall forward to said Justices in Morgan County, and that the sum paid for said Codes be included in the general appropriation bill passed by the Assembly.*

Adopted March 14th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 15th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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NUMBER 11.

*Be it resolved by the General Assembly of the State of Tennessee, That the Secretary of State is hereby instructed to interchange Milliken & Vertrees' Code of Tennessee, with all the States and territories of the Union, and the expense of the same be included in the general appropriation bill.*

Adopted March 14th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 15th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 12.

*Be it resolved by the General Assembly of the State of Tennessee, That the Trustees of the School for the Blind are authorized to convey to the adjoining proprietor a narrow piece of land situated on the south boundary of the property recently purchased for colored school, fronting five feet on the Lebanon turnpike and running back about one hundred and ninety feet to an alley; Provided, Said proprietor will relinquish to the State all rights of easement to the alley which separates the lots on which the two schools are situated.*

Adopted March 14th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 13.

*Be it resolved by the General Assembly of the State of Tennessee, That the Secretary of State be, and he is hereby, instructed to prepare and have printed election return blanks for election of Governor, Congressmen, members of the General Assembly, Judges, Attorneys-General, and Magistrates, in which, in a foot-note explanations shall be given as to manner of making returns, to whom, and where returns shall be sent.*

*Be it further resolved*, That it shall be the duty of the Secretary of State to send at least three of these blanks to each Sheriff, prior to each special or general election held in this State for any of the above-named officers.

Adopted March 14th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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NUMBER 14.

*Be it resolved by the General Assembly of the State of Tennessee*, That the committees of the Senate and House appointed to examine, count, and destroy the Torbett issue, be allowed five days after the expiration of the present term of this General Assembly to examine, count, and destroy the said Torbett issue, and that they be allowed the services of one of the experts of the Funding Board to assist them.

Adopted March 26th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 15.

*Be it resolved by the General Assembly of the State of Tennessee,* That the Printer to the State be, and he is hereby, instructed, to print five thousand copies of the Acts of this session of the General Assembly, and seven hundred copies each of the Senate and House Journals and appendices, all to be bound in the usual style prescribed by law.

*Be it further resolved,* That the State Printer be authorized to print any additional number of copies of said Acts as he may wish, at his own expense, for sale, but said Acts shall not be sold by him for more than one dollar and one-half per copy. The appendices to the Acts shall show the subject or substance of all sections of the Code amended or repealed.

Passed March 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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NUMBER 16.

WHEREAS, The University of our State has so remodeled her policy and her courses of study as to make it her "chief object to teach the branches related to agriculture and the mechanics' arts; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That the institution aforesaid is hereby commended to all who are seeking industrial educa-

tion; and the members of this Assembly are hereby urged to make all the appointments to which they are entitled, and to use their influence in sustaining the school and increasing its patronage.

Adopted March 29th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Approved March 29th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

# HOUSE JOINT RESOLUTIONS.

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## NUMBER 1.

*Be it resolved by the General Assembly of the State of Tennessee, That for the convenience of the ladies both Houses of the Forty-fifth General Assembly meet in joint convention and proceed to ballot for State Librarian on Friday, January 7th, 1887, at the hour of 11 o'clock A. M.*

Adopted January 6th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved January 14th, 1887.

WM. B. BATE,  
*Governor.*

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## NUMBER 2.

*Be it resolved by the General Assembly of the State of Tennessee, That a joint committee, consisting of five members from the House and three from the Senate, be appointed to examine the books of the Treasurer and Comptroller.*

Adopted January 7th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
Z. W. EWING,  
*Speaker of the Senate.*

Approved January 14th, 1887.

WM. B. BATE,

*Governor.* Digitized by Google

NUMBER 3.

*Be it resolved by the General Assembly of the State of Tennessee, That the Senate and House of Representatives meet in joint convention in the House of Representatives on Wednesday, January 12th, 1887, at 10:30 o'clock A. M., for the purpose of counting and declaring the vote cast for Governor, and announce the result, at the election held on the 2d of November, 1886, for Governor.*

Adopted January 8th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved January 14th, 1887.

WM. B. BATE,  
*Governor.*

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NUMBER 4.

*Be it resolved by the General Assembly of the State of Tennessee, That a committee of two on the part of the Senate, and three on the part of the House of Representatives, be appointed by the respective Speakers of said Houses, to confer with Governor Bate and Governor-elect R. L. Taylor, and fix the day for the inauguration of the Governor-elect, and to take charge of the ceremonies of the same.*

Adopted January 10th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved January 14th, 1887.

WM. B. BATE,  
*Governor.*

NUMBER 5.

WHEREAS, The Forty-fourth General Assembly of the State of Tennessee appropriated ten thousand dollars (\$10,000) for the preparation, completion of arrangements, the preservation and return of the exhibits sent from the State of Tennessee to the World's Exposition at New Orleans, La.; and,

WHEREAS, The said amount was to be expended by the Commissioner of Agriculture for the purpose to which it was appropriated, and to make a report of the same, accompanied by all vouchers, to this, the Forty-fifth General Assembly; therefore,

*Be it resolved by the General Assembly of the State of Tennessee*, That a committee of five from the House of Representatives, and three from the Senate, be appointed to call upon the Commissioner of Agriculture and request an itemized statement of the money expended under the provisions of the act referred to above, to be presented to said committee on or before the 15th day of January, 1887; and,

*Be it further resolved*, That said committee examine said account and compare the total amount accounted for with the amount which has been drawn from the Treasury for the purpose set forth, and make report of same to the House of Representatives and the Senate in due time; and whether or not any money was received from any other source or sources for the benefit of the State, and how disbursed.

Adopted January 11th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved January 14th, 1887.

WM. B. BATE,  
*Governor.*

NUMBER 6.

*Be it resolved by the General Assembly of the State of Tennessee, That a committee of three members on the part of the House, and two members on the part of the Senate, be appointed to examine the accounts of the Commissioner of the Bureau of Agriculture, etc.*

Adopted January 11th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved January 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 7.

WHEREAS, The State Treasurer in his report to the Forty-fifth General Assembly of Tennessee shows that there is in the Treasury four bills of exchange of five hundred dollars each, drawn by the State National Bank, of New Orleans, on the National Park Bank, of New York, and that payment of the same has been demanded and refused; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the Treasurer be requested to furnish a statement showing:*

1. From whom said bills were received, and who received credit therefor.
2. What, in the opinion of the Treasurer, ought to be done to collect said bills of exchange.

He will report as soon as practicable.  
Adopted January 11th, 1887.

W. L. CLAPP.  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved January 14th, 1887.

WM. B. BATE,  
*Governor.*

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## NUMBER 8.

WHEREAS, There will be a World's Exposition held by the colored people of the United States, at Birmingham, Alabama, commencing September 22d, 1887, and continuing four months, for the purpose of illustrating the progress of the colored race by a display of works of art, live stock, field products, machinery, manufactories, and all other articles raised, fabricated, produced, or owned by colored people, especially throughout the United States of America, and inclusive of the colored race in all parts of the world; and,

WHEREAS, This Exposition would advance the interest of the race in many respects, and would also redound to the interest of the whole country; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That we commend the project to the favorable consideration of the public as one fraught with great interest to the colored race and the country at large.

*Be it further resolved,* That we request our Senators and Representatives in Congress to consider favorably any measure which may come before that body looking to the advancement of the Exposition by appropriation or otherwise.

*Be it further resolved*, That the Secretary of State be directed to forward a copy of these resolutions to our members in Congress.

Adopted January 12th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved January 21st, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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NUMBER 9.

*Be it resolved by the General Assembly of the State of Tennessee*, That both Houses of the same meet in joint convention on Monday, the 17th inst., at 11 o'clock A. M., for the purpose of inaugurating the Governor-elect, R. L. Taylor, when the following programme shall be observed:

Enter the Senate, announced by the Sergeant-at-Arms, in the usual manner; Senate assigned their usual seats.

Music.

Enter Supreme Court Judges, accompanied by the retiring Governor and other State officers and distinguished guests; assigned seats at the right of Speaker's stand.

Enter Governor-elect R. L. Taylor, accompanied by the joint committee on inaugural ceremonies, announced at the bar of the House by the Sergeant-at-Arms. Received by Speakers Ewing and Clapp; the Governor-elect escorted to the left of Speaker's chair.

Music.

President Ewing call the House to order, and state the purpose for which the convention has assembled.

Prayer by Rev. J. D. Barbee.

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Music.

Speaker Clapp introduces the retiring Governor.

His address.

Music.

President Ewing introduces the Governor-elect.

Oath of office by Chief Justice Peter Turney.

His address.

Prayer by Rev. C. H. Strickland.

Music.

Convention dissolved.

*Be it further resolved*, That the Sergeant-at-Arms of the respective Houses be instructed to take charge of the decorations of the hall of the House of Representatives; that they remove the desks in the same and supply the House with chairs, and that said desks be removed so as to avoid confusion and delay in replacing them.

Adopted January 18th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

The five days having expired in which this resolution should have been signed by the Governor, I hereby certify that the same was adopted by the House and concurred in by the Senate on the day named therein.

ETH. B. WADE,  
*Clerk of the House of Representatives.*

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## NUMBER 10.

WHEREAS, The National Cotton Planter's Association of America is an institution incorporated under the laws of the State of Mississippi for the public weal; and,

WHEREAS, The said association has already done much good work, and received the substantial recog-

nition of the Government of the United States in the matter of the World's Exposition of New Orleans, which was inaugurated by its means and influences; and,

WHEREAS, The said association has now inaugurated a Cotton States Agricultural Field Contest, to be held in the autumn of 1888, which designs, through a series of large premiums for models of farm residences, gin-houses, and stables, also on crops and agricultural implements, to promote the welfare of the people of the cotton States, and those having kindred interests; and,

WHEREAS, It is proper that such an enterprise should receive all possible encouragement, it is hereby

*Resolved*, That the Legislature of the State of Tennessee recognize that the Cotton States Agricultural Field Contest has the highest aim for the good of the people, and is a movement in that direction, and should receive the cordial indorsement of the people of the cotton States, and all those interested in their development; also,

*Resolved*, That this Legislature do invite the people of the State of Tennessee to co-operate with the management of the great enterprise, in order that they may receive the benefits to be derived, and also invite the co-operation of the other cotton States, and all agricultural and other public associations, to the end that united efforts may lead to the most successful results.

Adopted January 27th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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Z. W. EWING,  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 11.

WHEREAS, It appears from the report of the Treasurer to the Forty-fourth General Assembly of Tennessee, that there are in the Treasury, as the property of the State, four bills of exchange of five hundred dollars each, making a total of two thousand dollars. Said bills of exchange were drawn by the State National Bank of New Orleans on the National Park Bank of New York, and payable to VanLeer Polk, and by him indorsed in blank; and,

WHEREAS, Said bills of exchange were recovered from the former Treasurer, M. T. Polk, and turned over to the present Treasurer as the property of the State by the captors of said Polk; and,

WHEREAS, Payment of said bills has been demanded and refused; and,

WHEREAS, The Treasurer, in his report to the present General Assembly, again calls attention to said bills of exchange, and desires the present General Assembly to make some disposition of the same; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That the Attorney-General for the State be, and is hereby, instructed and directed to proceed to the collection of said bills of exchange by bringing suit in the name of the State, or by taking any necessary steps for the collection of the same.

Adopted January 27th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 12.

*Be it resolved by the General Assembly of the State of Tennessee,* That the thanks of the General Assembly of the State of Tennessee be voted Mrs. Matt. B. Pilcher, Mrs. Wm. S. Bransford, and Mrs. M. M. Neil, other ladies for services rendered by them in decorating the hall of the House of Representatives on Inauguration day.

Adopted January 27th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 13.

*Be it resolved by the General Assembly of the State of Tennessee,* That the Forty-fifth General Assembly of the State of Tennessee adjourn at 1 o'clock P. M. on Saturday, the 29th of January, to meet February 9th, 1887, at 10 o'clock A. M.

Adopted January 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

## NUMBER 14.

*Be it resolved by the General Assembly of the State of Tennessee,* That the University of Tennessee as established by the State in accordance with the Congressional Act of 1862, and supported out of its Treasury, is distinctly an Agricultural and Mechanical College for the liberal and practical education of the industrial classes.

*Be it further resolved,* That to accomplish this, "its leading object," as declared in the organic act, "shall be to teach those branches which relate to agriculture and mechanical arts, civil and mining engineering, without excluding other scientific and classical studies, including military tactics;" the clear interpretation of which is, "that other scientific and classical studies" are permitted, though not essential to the leading object prescribed in said act.

*Be it further resolved,* That "those other scientific and classical studies" only are elective, and no State student has the right to take them to the exclusion of the agricultural and mechanical, civil and mining engineering. It is therefore the duty of Senators and Representatives to explain these conditions to those who apply for admission to the University.

Adopted February 14th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 15.

*Be it resolved by the General Assembly of the State of Tennessee,* That a committee of three on the part of the House, and two on the part of the Senate, be appointed, whose duty it shall be to inquire into the condition and management of the State Agricultural Bureau, and report at an early day.

Adopted February 14th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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NUMBER 16.

*Be it resolved by the General Assembly of the State of Tennessee,* That Hon. R. S. Payne and Hon. J. W. Caldwell be, and they are hereby, confirmed as Trustees for the Tennessee Deaf and Dumb School, at Knoxville, Tennessee, to fill vacancies occasioned in the Board of Trustees by the death of Hon. Joseph Jaques and Hon. Alfred Caldwell.

Adopted February 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 17.

WHEREAS, In the years 1866, 1867, and 1868, the United States Government collected a large amount of taxes from the several States of this Union on cotton, known as the cotton tax; and,

WHEREAS, The Supreme Court of the United States has declared that said tax was unconstitutionally collected; now, therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That our Senators and Representatives in Congress be, and they are hereby, instructed to use their influence by legislation to have the said taxes refunded to the people from whom said taxes were collected; and,

*Be it further resolved,* That should there be any money remaining uncalled for after a certain date, that said amount be turned into the common school fund of the several States from which said taxes were collected, and that a copy of these resolutions be forwarded each member of Congress by the Secretary of State.

Adopted February 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 18.

WHEREAS, It is of supreme importance to the people of the State that we should have a good and effective public road law; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the Committees on Public Roads in the Senate and House hold joint sessions, and from the numerous bills introduced in both Houses compile a public road law that will give satisfaction to the people of the State, and under which the Road Commissioners and overseers can effectively work the public roads of the State and improve their condition, the spiritual and public welfare requiring it.*

Adopted February 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## NUMBER 19.

*Be it resolved by the General Assembly of the State of Tennessee, That our Representatives in Congress be requested to use their influence in preventing the General Government from accepting bids for supplies, etc., from firms or corporations employing convict or prison labor.*

Adopted February 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING.  
*Speaker of the Senate.*

Approved February 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 20.

WHEREAS, On the 4th day of February, 1848, the General Assembly of the State of Tennessee made an appropriation to erect a monument in memory of General Merriwether Lewis; and,

WHEREAS, Said monument has been erected, and stands about two and one-half miles west of the town of Newburgh, the county seat of the county of Lewis, which county was named in honor of the said Merriwether Lewis; and,

WHEREAS, Said monument is in need of fencing, railing, and general repairs; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That the Committee on Public Grounds and Buildings be requested to inquire into the condition of said monument, and prepare a bill appropriating not exceeding one hundred and twenty-five dollars to put said monument, banisters, and railing in a good condition that will protect and preserve said monument.

Adopted February 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 21.

WHEREAS, There is much complaint of the management of the University of Tennessee, and a desire for further information on the part of this body to guide it in such legislation as seems to be demanded in the premises,

*Be it resolved by the General Assembly of the State of Tennessee,* That the Committee on Charitable Institutions now going to Knoxville in the discharge of its duty, be authorized to inquire into the management of the University, the extent to which it has been adjusted to the requirements of the Congressional grant in the establishment of an Agricultural and Mechanical College; as to what changes should be made in number and distribution of Trustees, in view of the equal interest of every section of the State in the school; as to relative importance attached to the agricultural and mechanical courses of study, and the classical, in the University; as to the provisions for colored students, and in reference to all matters material to the agricultural and mechanical interests of the State.

Passed February 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## NUMBER 22.

*Be it resolved by the General Assembly of the State of Tennessee,* That the thanks of the General Assembly of the State of Tennessee be extended to the young ladies of Ward's Seminary for the very excellent entertainment given to the members of this body on the night of February 24th, 1887.

Adopted February 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

## NUMBER 23.

Joint resolution providing for a change in the Constitution of the United States in reference to the mode of choosing Senators in Congress in accordance with Article 5 of the same.

*Be it resolved by the General Assembly of the State of Tennessee* (the Legislatures of two-thirds of the States concurring), That Congress is hereby authorized and required to call a convention to consider the propriety of amending and changing Section 3 of Article 1 of the Constitution of the United States, so as to provide for the election of Senators in Congress by the qualified voters of the several States.

*Be it further resolved,* That the Secretary of State shall certify a copy of this resolution to the Executive Department of the United States, a copy to each House of Congress, and a copy to the Executives of

each of the several States and Territories of the Union, who are hereby requested to submit the same to the Legislatures of their respective States when such shall assemble.

Adopted February 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 2d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## NUMBER 24.

WHEREAS, By the terms of Chapter 74, page 151, of the Acts of 1885, the Commissioners of the Insane Hospital in West Tennessee were empowered to purchase a tract of not more than one hundred acres of land as a site and location for said hospital; and,

WHEREAS, Said Commissioners, as well as the Building Commissioners, have reported the same as insufficient for wants of said institution, and have recommended the purchase of additional land; and,

WHEREAS, Said Building Commissioners have obtained an option offer of sale of land sufficient for needs of said hospital at very reasonable figures, which said option expires with the adjournment of this Legislature; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the Building Commissioners of the Insane Hospital for West Tennessee be authorized and empowered to purchase two hundred acres additional land adjoining said site for said hospital, to be paid for out of the appropriation already made to*

aid in the construction of said hospital; *Provided*, That price of said land shall not exceed the option offer.

Adopted March 2d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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NUMBER 25.

WHEREAS, All the bonds of the State, known as the "Settlement Bonds of 1883," bear date of July 1st, 1883, as though executed and delivered on said date; and,

WHEREAS, The present Governor, R. L. Taylor, entered upon his duties on the 17th day of January, 1887, and it being the opinion of some of the owners and holders of said settlement bonds that the signing of the same by the present Governor is not good and valid execution and delivery of said bonds until the actual date of execution and delivery is inserted in or written upon said bonds by the Secretary of State, below the printed date and above the signature of the present Governor; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the Secretary of State be, and is hereby, authorized and directed, upon being requested so to do, to insert the actual date of executing and delivering said settlement bonds of the State by the present Governor, such date—to-wit: January 17th, 1887—to be inserted by the Secretary of State below the date, as printed on said bonds, and above the signature of the present Governor;*

*Provided*, That the holder or owner of such bonds shall compensate the Secretary of State for such services, such compensation not to exceed fifty cents on each bond.

Adopted March 2d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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NUMBER 26.

In favor of W. F. Overstreet.

WHEREAS, W. F. Overstreet upon the order of the Superintendent of the State Capitol did valuable and necessary work on the desks of the House of Representatives; and,

WHEREAS, The said Superintendent of the Capitol has approved the account of said W. F. Overstreet for the work aforesaid, which is twenty-nine dollars and sixty cents; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller issue his warrant on the Treasurer in favor of Said W. F. Overstreet for said sum of twenty-nine dollars and sixty cents for the work aforesaid.*

Concurred in March 15th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 27.

**A resolution to amend Resolution 33, adopted March 24th, 1879, "regulating the appointment of Trustees, and provide for the appointment of a Board of Visitors to the University," and to define more clearly the duties of said board.**

*Be it resolved by the General Assembly of the State of Tennessee,* That it shall be further the duty of said board to inquire into the courses of study pursued in the school, and to report particularly whether or not the College has taken all proper steps to adjust itself to the requirements of congressional grant and the laws of Tennessee for establishing an Agricultural and Mechanical College, and what further steps, if any, may be necessary on the part of either State or College to complete such adjustment to the letter and spirit of the organic act, and it shall be the further duty of said board to inquire into the accommodations for students, and into all matters pertaining to the welfare of the school and material to the interests of the people.

*Be it further resolved,* That this resolution go into effect from and after passage.

Adopted March 16th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 25th, 1887

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 28.

To appoint a committee to count and destroy the Torbett issue notes.

WHEREAS, By acts of the General Assembly of 1883 and 1885 it was provided that the Governor, Treasurer, and Comptroller constitute a Funding Board to examine what is commonly known as the Torbett issue, to fund the same into certificates and to cancel it as funded; and,

WHEREAS, Said board has complied with the duties prescribed by said acts, and the canceled notes of said Torbett issue are still on hand and liable at some time to be scattered or lost; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That a joint committee, composed of two members of the Senate and four of the House, be appointed, with instructions to examine said Torbett issue notes, and if properly canceled, to destroy the same by burning or otherwise.

Adopted March 19th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 23d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 29.

WHEREAS, The attention of this General Assembly is called by the Governor's message to a resolution of the General Assembly of the Commonwealth of Vir-

ginia, at its last session, looking to the establishment of the boundary line between the State of Virginia and the State of Tennessee; and,

WHEREAS, Said boundary line has been definitely fixed and established by law as far back as 1803, which settlement of the question has been recognized and acquiesced in by the authorities of both States as valid and binding as legislative enactments can make it, for near three-fourths of a century, and has been reaffirmed as the true and proper boundary line between the said States of Virginia and Tennessee repeatedly by acts of their General Assemblies, respectively, and is so recognized and reaffirmed on the part of Tennessee in her Code as late as the year 1858, and by Virginia in her Code in 1860; and,

WHEREAS, The settlement of this question with all the difficulties which led to and attended the same, are matters of official record, open to be seen and read by all men; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That any legislation looking to the re-opening of this question is impolitic, and not to be advised; for the Acts of 1802-3, and subsequent acts passed, ratified and reaffirmed by both States have all the force and effect that an act passed now could possibly have; it is, therefore, the sense of the General Assembly of the State of Tennessee that further legislation upon this settled question is unnecessary, and the subject be respectfully dismissed.

Adopted March 19th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 22d, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 30.

Relating to colored cadets.

WHEREAS, Colored cadets are not received at the University of Tennessee, and they cannot, under our Constitution, be educated in the same schools and classes along with the white cadets; and,

WHEREAS, Fisk University and Knoxville College are institutions established for the benefit of the colored people of the State, and are located with reference to their convenience; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That the Trustees of the University of Tennessee are directed, and hereby instructed, to pay to the colored cadets, through the Presidents of either of these institutions, the sum allowed cadets as tuition in the University of Tennessee.

*Be it further resolved,* That the Trustees of the University of Tennessee, in their biennial reports to the Legislature, be required to give the number of colored cadets in attendance upon these schools, the post-office address of each, and the name of the member of the Legislature by whom appointed.

Adopted March 19th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor*

NUMBER 31.

Resolution tendering the use of the House of Representatives to the National Educational Association.

WHEREAS, The National Educational Association is a body of representative educational men; and,

WHEREAS, Its meetings are numerously attended and productive of great good to the cause of education; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That the said National Educational Association is hereby cordially invited to hold its annual meeting for 1888 in the city of Nashville.

*Be it further resolved,* That the use of the hall of the House of Representatives be, and hereby is, tendered to the Association, wherein to hold its meetings.

Adopted March 21st, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 32.

To furnish Supreme Court Reports to Pickett and Chester Counties.

WHEREAS, The counties of Pickett and Chester, which were organized in the year 1881, have had no Supreme Court Reports furnished the same as required by law; and,

WHEREAS, Said counties are entitled to the same; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That the Secretary of State is hereby directed to furnish the Circuit and Chancery Court Clerks with a full set of the Supreme Court Reports of the State of Tennessee from the date of the organization of said counties, the cost of which shall be provided for in the general appropriation bill; and second, before furnishing said Clerks with said Reports, the Secretary of State will first ascertain if either of said Clerks have any of said Reports in either of said offices, and will, in no case, furnish them, or either of them, with any Reports which have been heretofore furnished them.

Adopted March 21st, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 25th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## NUMBER 33.

Directory to the Funding Board.

*Be it resolved by the General Assembly of the State of Tennessee,* That the Funding Board created under the Act of the General Assembly passed March 15th, 1883, being Chapter 84 of said Acts, consisting of the Governor, Comptroller, and Treasurer, be, and are hereby, authorized and empowered to borrow such sum or sums of money in the name of the State as said board may deem necessary, to supplement the funds in the State Treasury, for the purpose of promptly paying the interest to fall due upon the

bonds funded under the said Act of 1883, and those which may be hereafter funded under said Act, July 1st, 1887, January 1st, 1888, July 1st, 1888, and January 1st, 1889.

*Be it further resolved*, That said Funding Board for all sums borrowed under authority of this resolution, shall execute the note or notes of the State, payable to the lender, on demand, said note or notes to bear interest not exceeding the legal rate. Said board shall have the right to redeem and pay off said note or notes out of any funds in the Treasury not otherwise appropriated upon the Comptroller's warrant issued therefor. The Comptroller shall keep a record showing amount of said notes, when and to whom same were executed, and when same were paid.

Adopted March 24th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 26th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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## NUMBER 34.

Recommending the appropriation of one hundred dollars to purchase Bibles, hymn-books, and Sunday-school literature for the main prison of the Penitentiary.

WHEREAS, The convicts in the main prison of the Penitentiary are in need of more Bibles, hymn-books, and Sunday-school literature; and,

WHEREAS, There is a number of noble Christian men and women of Nashville, engaged in the great work of Christianizing said convicts;

*Be it resolved by the General Assembly of the State of Tennessee, That one hundred dollars be appropriated for this purpose in the general appropriation bill.*

*Adopted March 24th, 1887.*

*W. L. CLAPP,  
Speaker of the House of Representatives.*

*Z. W. EWING,  
Speaker of the Senate.*

*Approved March 26th, 1887.*

*ROBT. L. TAYLOR,  
Governor.*

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## NUMBER 35.

For the sale of lands belonging the State.

WHEREAS, The State of Tennessee is the owner of several tracts of land not being used for public purposes by the State, nor are such lands yielding the State any income, nor have yielded any income, nor are they likely to, viz.: One tract of about four acres situated, lying, and being in Davidson County, about two and one-half miles from the city of Nashville, having been purchased as a burial ground for convicts, but never having been used for that or any other purpose; and also about two acres near the city of Nashville, purchased for the purpose of erecting a Governor's Mansion on the same, which is now vacant and unoccupied, also one tract of about one-half an acre in the town of Savannah, Hardin County; and also a tract of about sixty acres near the city of Knoxville, in Knox County, known as the "Eastern Division Fair Grounds," all of which are useless to the State; and,

WHEREAS, The present seems to be an advantageous time to sell such lands; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller and Treasurer, as*

fiscal agents of the State, be, and are hereby, authorized to sell each of said tracts of land, after advertising the same for sale for a period of thirty days after the passage of this resolution; those tracts in Davidson County to be advertised in one of the Nashville papers, that tract in Knox County in one of the Knoxville papers, and that tract in Hardin County in the Savannah Courier. The Comptroller and Treasurer shall advertise said tracts of land separately, and sell same at public outcry to the highest bidder for one-half cash down, the remainder in two equal installments at six and twelve months from date of sale, with interest, taking notes from the purchasers thereof with personal security, and retain a lien on the land; the Comptroller and Treasurer will accept the highest and best bid offered for each tract, or may reject all of the bids offered for any one of the tracts of land if they are satisfied that none of the bids offered are equal to a fair valuation of such land. The sale will be made at the Court-house door in the counties where the several tracts lie. The Comptroller and Treasurer may also sell on the terms and conditions herein set forth, any other lands belonging to the State in like condition of the lands mentioned hereinbefore, except that they will not be required to advertise and sell within thirty days from the passage of this resolution; and the Comptroller and Treasurer are authorized to make and execute deeds to lands sold under this resolution. The Comptroller and Treasurer will embody in their next biennial reports what shall have been done under this resolution; *Provided*, That nothing in this resolution shall be so construed as to authorize the Comptroller and Treasurer to sell any school lands originally belonging to the several townships in the State, or the Hermitage farm and property; *Provided further*, That the Comptroller and Treasurer shall be entitled to one per cent. from sales of such lands.

Adopted March 26th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,

*Governor.* *Digitized by Google*

NUMBER 36.

Resolution to adjourn on Tuesday, 29th of March, at 12 M.

*Be it resolved by the General Assembly of the State of Tennessee, That this, the Forty-fifth session of said General Assembly, do adjourn *sine die* on Tuesday, 29th of March, at 12 M.*

Adopted March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*

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NUMBER 37.

To pay C. W. Crockett, Assistant Clerk, balance due him.

WHEREAS, The salary of C. W. Crockett, Assistant Clerk of the House, was by mistake put at three hundred dollars for services rendered during the present session of the Forty-fifth General Assembly; and,

WHEREAS, The Senate concurred in the same, believing it was all that was claimed by the said Crockett; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller be, and is hereby, authorized to issue his warrant on the Treasurer in*

favor of the said C. W. Crockett for the sum of one hundred and fifty dollars additional, the amount due him.

Adopted March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

Z. W. EWING,  
*Speaker of the Senate.*

Approved March 28th, 1887.

ROBT. L. TAYLOR,  
*Governor.*



# SENATE RESOLUTIONS.

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## NUMBER 1.

*Be it resolved by the Senate, That a committee of three be appointed to prepare permanent rules for the government of the Senate during the present General Assembly, and that said committee, when appointed, shall act in conjunction with a like committee of the House, to prepare and report rules for the government of the two Houses when in joint convention.*

*Adopted January 5th, 1887.*

*Z. W. EWING,  
Speaker of the Senate.*

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## NUMBER 2.

*Be it resolved by the Senate, That the Speaker be, and he is hereby, authorized to appoint two porters to wait upon the Senate.*

*Adopted January 6th, 1887.*

*Z. W. EWING,  
Speaker of the Senate.*

NUMBER 3.

*Be it resolved by the Senate, That the Clerk of the Senate is hereby authorized and directed to inform the House of Representatives that the Senate is organized and ready for the transaction of public business.*

Adopted January 6th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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NUMBER 4.

*Be it resolved by the Senate, That the thanks of the Senate are hereby most cordially tendered the Hon. T. C. Long for the courteous, impartial, and efficient manner in which he discharged the duties of Temporary Speaker of the Senate.*

Adopted January 6th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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NUMBER 5.

*Be it resolved by the Senate, That the Sergeant-at-Arms be instructed to furnish each Senator five dollars' worth of United States postage stamps with which to send public documents and papers to the people.*

Adopted January 6th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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NUMBER 6.

*Be it resolved by the Senate, That a committee of two Senators be appointed to act in conjunction with a committee of three on the part of the House, to notify the Governor that the two Houses are now organized and ready for business.*

Adopted January 7th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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NUMBER 7.

*Be it resolved by the Senate, That the Sergeant-at-Arms be required to purchase two stoves for the convenience and comfort of the Senators.*

Adopted January 7th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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NUMBER 8.

*Be it resolved by the Senate, That the Comptroller of the Treasury be, and is hereby directed, to draw his warrant on the Treasury for thirty-two dollars in favor of John Terry, porter to the Senate, for eight days services during the organization of the Senate, and that said amount shall be included in the general appropriation bill.*

Adopted January 7th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

NUMBER 9.

*Be it resolved by the Senate, That it shall be the duty of the Sergeant-at-Arms to see that all public documents to which the Senate is entitled, be distributed equally among the Senators.*

Adopted January 12th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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NUMBER 10.

*Be it resolved by the Senate, That the Secretary of State be, and he is hereby, instructed to furnish to each member of the Senate a copy of Milliken & Ver-trees' Code of Tennessee, and that the cost of the same be included in the general appropriation bill.*

*Be it further resolved, That at the expiration of this session of the General Assembly, the Sergeant-at-Arms of the Senate will return the copies of the Code to the State Library.*

Adopted January 12th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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NUMBER 11.

*Be it resolved by the Senate, That the Sergeant-at-Arms be instructed to keep, at all times, the United States flag on the top of the flag-staff, now on the*

Capitol building, when this body is in session. Should there be no flag, let the Sergeant-at-Arms be instructed to purchase one at reasonable cost, suitable to the occasion; this measure being a time-honored National custom.

Adopted January 12th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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### NUMBER 12.

*Be it resolved by the Senate, That the Sergeant-at-Arms be directed to purchase for the use of the Senate two dozen chairs and a curtain for window, next to desk of the Engrossing Clerk, the same being necessary for the proper accommodation of the Senate.*

Adopted January 12th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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### NUMBER 13.

*Be it resolved by the Senate, That the Sergeant-at-Arms be directed to have the word "Senate" placed upon chairs now in the Senate Chamber.*

Adopted January 20th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

NUMBER 14.

*Be it resolved by the Senate, That the Chief Clerk of the Senate be, and he is hereby, directed to prepare a calendar, weekly, of the business of the Senate, so as to more effectually expedite business.*

Adopted January 20th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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NUMBER 15.

*Be it resolved by the Senate, That another standing committee of five be added to the list of committees, known as the Labor Committee, and that all questions relative to labor be referred to said committee.*

Adopted January 24th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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NUMBER 16.

*Be it resolved by the Senate, That the Sergeant-at-Arms be, and he is hereby, ordered to receive the Senate mail during the recess, and secure and retain said mail until the re-convening of the Senate; and he is hereby required to have fires kept up in the Senate Chamber two (2) days before re-convening.*

Adopted January 29th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

NUMBER 17.

*Be it resolved by the Senate, That the Sergeant-at-Arms of the Senate be instructed to take up the carpet on the floor of the Senate Chamber and have said carpet thoroughly dusted and cleaned, and the dirt and accumulated filth on the floor of the chamber be removed from the building, and the carpet replaced upon the floor.*

*Be it further resolved, That the Sergeant-at-Arms be authorized to employ such assistance as may be necessary to have the above work done, and present bill of cost of said work to the Senate, and that said amount be included in the general appropriation bill.*

*Be it further resolved, That to enable the Sergeant-at-Arms to have the said work done, the Senate adjourn at 12 o'clock, Friday, the 11th of February, to meet again at 10 o'clock, Monday, February 14th.*

Adopted February 9th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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NUMBER 18.

*Be it resolved by the Senate, That when we go into executive session relative to the confirmation of the appointment of F. M. Smith, appointed by the Governor to the position of Superintendent of Public Instruction, that the proceedings be held with open doors.*

Adopted February 10th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

NUMBER 19.

WHEREAS, The water filter now in use in the Senate Chamber is out of order, and continually leaking upon the table and Senate floor; therefore,

*Be it resolved by the Senate, That the Sergeant-at-Arms of the Senate be instructed to furnish, at once, a new filter for the use of the Senate, and that the price of the same be included in the general appropriation bill.*

*Adopted February 14th, 1887.*

Z. W. EWING,  
*Speaker of the Senate.*

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NUMBER 20.

*Be it resolved by the Senate, That on and after February 15th, the Senate shall open its sessions at 9:30 o'clock A. M., and adjourn at 1 o'clock P. M., each day.*

*Adopted February 15th, 1887.*

Z. W. EWING,  
*Speaker of the Senate.*

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NUMBER 21.

*Be it resolved by the Senate, That in all debates upon resolutions or bills prior to their adoption or passage on third reading, the mover of the motion or author of the resolution or bill, as the case may be, shall*

have the right to close the debate thereon, and no call for the previous question, or other motion, shall cut off or defeat the right in the mover or author of a measure, against his wish; *Provided*, That the author shall not yield to any other member while he has the floor under this resolution.

Adopted February 15th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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#### NUMBER 22.

*Be it resolved by the Senate*, That the Assistant Clerk of the Senate be, and he is hereby, instructed to prepare a roster of the members and officers of the Senate, and that two hundred copies of the same be provided for the use of the Senate, House, and State officers.

Adopted February 15th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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#### NUMBER 23.

*Be it resolved by the Senate*, That the Sergeant-at-Arms of the Senate is directed to pay the amount realized from the sale of the carpet, to-wit, twenty dollars and fifty cents, into the Treasury, and that the Comptroller is hereby directed to issue his receivable warrant on the Treasurer for said sum.

Adopted February 16th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

NUMBER 24.

WHEREAS, By a recent act of Congress, the Mexican soldiers of the United States, who are the age of sixty-two years, were pensioned by the General Government; and,

WHEREAS, Those under the age of sixty-two, who enlisted and fought in the same war, exhibited a degree of patriotism and valor equal to that of their comrades, who, by the act of Congress herein referred to, are pensioners upon the bounty of the Government, and in our opinion are equally entitled to a reward for their meritorious services to the country with those who have heretofore been pensioned; therefore,

*Be it resolved by the Senate,* That our United States Senators and members of the Lower House of Congress are hereby requested and urged to use every lawful and honorable endeavor to secure the passage of a law placing all soldiers of the war with Mexico on an equal basis, granting those under the age of sixty-two the same pension now allowed by law to those over that age; and,

*Be it further resolved,* That a copy of this resolution be spread upon the Journal of the Senate, and a copy of the same be forwarded to each of our Senators and members of the Lower House of Congress at Washington, D. C.

Adopted February 24th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

NUMBER 25.

WHEREAS, Col. E. W. Cole has tendered to the State a hundred thousand dollars' worth of real estate for charitable purposes; and,

WHEREAS, There is scarcely a week passes that he does not make some large donation for the public good; and,

WHEREAS, The hearts of our people reaching out to him, say—

“Think not the good,  
The gentle deeds of mercy thou hast done,  
Shall die forgotten all; the poor, the prisoner,  
The fatherless, the friendless, and the widow,  
Who daily own the bounty of thy hand,  
Shall cry to Heaven and pull a blessing on thy head.”

Therefore,

*Be it resolved by the Senate, That the highest admiration and gratitude of our people is hereby tendered to him for his many noble benefactions.*

Adopted February 28th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

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## NUMBER 26.

*Be it resolved by the Senate, That from and after the adoption of this Resolution that discussion on matters before the Senate shall be limited to fifteen minutes by each speaker, and that the Speaker is directed to promptly enforce this order, unless a two-thirds majority of the Senate shall expressly agree otherwise.*

Adopted March 4th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

NUMBER 27.

*Be it resolved by the Senate, That the Sergeant-at-Arms of the Senate be, and he is hereby, ordered to have a new drawer put in the Speaker's desk, the same having been destroyed by fire, and that the cost be included in the general appropriation bill.*

Adopted March 17th, 1887.

Z. W. EWING,  
*Speaker of the Senate.*

# HOUSE RESOLUTIONS.

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## NUMBER 1.

To appoint a Journal Clerk.

*Be it resolved by the House of Representatives, That the Speaker be, and is hereby, authorized to appoint a Journal Clerk to serve during the election of the various officers, and at such other times as the Speaker may deem necessary; said Clerk to receive the usual compensation.*

Adopted January 5th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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## NUMBER 2.

*Be it resolved by the House of Representatives, That a committee be appointed to notify the Governor that the House of Representatives is now organized and do await any communication he may have to make.*

Adopted January 7th 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 3.

*Be it resolved by the House of Representatives,* That the Speaker be authorized to appoint a committee of three members of the House to confer with the ministers of the city, and request them to arrange among themselves to secure one of their number to open deliberations of the House each morning with prayer.

Adopted January 7th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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NUMBER 4.

*Be it resolved by the House of Representatives,* That the Treasurer is hereby instructed and authorized to pay William E. Brown, N. T. Dulaney; and R. F. Jones, who acted as Sergeant-at-Arms and Assistant Sergeant-at-Arms, during the organization of the House, the sum of twenty-four dollars each.

*Be it further resolved,* That he be instructed to pay James Dawson and Phillip Rees, the sum of eighteen dollars each, and Frank Harris, the sum of twenty-one dollars, for services rendered as porters during the organization of the House; and that William Frazer and Henry Ward, be paid six dollars each for services as porters for two nights each.

Adopted January 7th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 5.

*Be it resolved by the House of Representatives,* That the Speaker appoint a Committee on Rules for the government of the House, consisting of five members, the Speaker shall be a member of the committee and Chairman, with instructions to embody in the same the Constitution of the State, and Constitution of the United States, and a list of standing committees of the House, and to report early.

Adopted January 7th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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NUMBER 6.

WHEREAS, The members of the House have learned with regret of the death of the Hon. E. R. Vaughn, who was a worthy and esteemed member of the Forty-third and Forty-fourth General Assembly of the State of Tennessee, which sad event occurred at Murfreesboro this morning; therefore,

*Be it resolved by the House of Representatives,* That the sympathies of the members of this body be, and are hereby, tendered to his family and friends, and that when this House adjourns to-day, that it adjourn until Monday morning at 10 o'clock, in respect to the memory of the honorable deceased, and that the family of the deceased be furnished by the Clerk with a copy of this resolution.

Adopted January 8th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 7.

*Be it resolved by the House of Representatives, That the Speaker appoint a committee consisting of nine members of this body, said committee to be known as the Committee on Labor; the purpose of said committee being to establish a committee to which all bills can be referred bearing upon labor and laborers of this State, and before which said laborers can appear and make known their wants to their representatives.*

*Adopted January 11th, 1887.*

*W. L. CLAPP,  
Speaker of the House of Representatives.*

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NUMBER 8.

*Be it resolved by the House of Representatives, That the Sergeant-at-Arms is hereby instructed to furnish each member of the House with five dollars in postage stamps to pay postage on public documents, to be provided for in the general appropriation bill.*

*Adopted January 11th, 1887.*

*W. L. CLAPP,  
Speaker of the House of Representatives.*

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NUMBER 9.

*Be it resolved by the House of Representatives, That a committee of three be appointed to look into the*

matter of refurnishing the committee rooms, and securing new curtains for the windows of this hall, and to ascertain the cost of same.

Adopted January 11th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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#### NUMBER 10.

*Be it resolved by the House of Representatives,* That the use of the hall of the House of Representatives be tendered to Hon. John B. Finch, Right Worthy Grand Chief Templar of the World, on Thursday night, January 20th, 1887, for the purpose of a public address by said distinguished gentleman.

Adopted January 12th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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#### NUMBER 11.

*Be it resolved by the House of Representatives,* That the Sergeant-at-Arms call on, and receive from, the Secretary of State, for such Codes of the State of Tennessee as have been appropriated by law for the use of this House, and that he keep them in this House for the use of its members and officers during the sitting of this General Assembly.

*Be it further resolved,* That at the adjournment of this Assembly, the Sergeant-at-Arms shall return

said Codes to the Secretary of State, to be kept by him as the law requires.

Adopted January 12th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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## NUMBER 12.

*Be it resolved by the House of Representatives, That the Assistant Clerk be instructed to prepare a list of the members and their occupations, and to furnish each member with a list.*

Adopted January 18th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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## NUMBER 13.

WHEREAS, There seems to be a considerable dissatisfaction among the members of the present House of Representatives in regard to the seats; therefore,

*Be it resolved by the House of Representatives, That the Sergeant-at-Arms is hereby ordered to number said seats, beginning on the left of the aisle at the entrance of the same, on the first desk with the numbers one and two, and so on with the numbers until sixty-one numbers are placed on said desks, it being the Democratic side of the House; and then beginning with sixty-two and sixty-three on the right of the aisle immediately after the number sixty-one in rotation, until thirty-seven seats are procured with like numbers for the Republican side of the House; and*

then the numbers from one to sixty-one be placed in a hat or a box by the Clerk of the House, and a boy selected by the Speaker to draw said numbers. At which time the Clerk shall call the roll of Democratic member alphabetically, and the member whose name is first called, shall draw a seat for himself and colleague, and so on, until the sixty-one numbers are called, and each member shall be assigned to said seats so called; and the Clerk shall also call the roll of the Republican members, which shall likewise be assigned to the seats corresponding with the numbers.

Adopted January 13th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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#### NUMBER 14.

WHEREAS, It appears from the official count that the Hon. R. L. Taylor has been elected Governor of the great State of Tennessee; and,

WHEREAS, He is held in the highest esteem by all people of the State of Tennessee, regardless of political preference; and,

WHEREAS, It has pleased the leading artist of Nashville, Mr. T. M. Schleier, to present to this House a portrait of the young Governor, R. L. Taylor; therefore,

*Be it resolved*, That the Sergeant-at-Arms be, and is hereby, instructed to suspend the portrait of Governor-elect R. L. Taylor immediately under the shield and eagle in rear of the Speaker's desk, the same to remain there until the close of the present session of the General Assembly, and a vote of thanks be extended to Mr. Schleier for this contribution.

Adopted January 13th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 15.

*Be it resolved by the House of Representatives, That the Sergeant-at-Arms is hereby directed not to allow persons selling cigars, apples, etc., to sell, or offer to sell, any article whatever inside the bar of the House while in session.*

*Adopted January 14th, 1887.*

*W. L. CLAPP,  
Speaker of the House of Representatives.*

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NUMBER 16.

*Be it resolved by the House of Representatives, That the Secretary of State be requested to purchase for the use of the members of the House, one copy of the Revised Code of Tennessee for each desk, and one copy for the Speaker, and that the Door-keeper be requested to receive and distribute the same; and at the end of the session the same to be returned to Secretary by the Door-keeper for the future use of the State.*

*Be it further resolved, That the cost of the same be included in the appropriation bill to be passed.*

*Adopted January 14th, 1887.*

*W. L. CLAPP,  
Speaker of the House of Representatives.*

NUMBER 17.

WHEREAS, We believe the dampness of the Hall of Representatives to be the cause of much sickness among the members; therefore,

*Be it resolved*, That the Sergeant-at-Arms be instructed to keep fires in the hall and committee rooms all night, in order to prevent this sickness.

Adopted January 14th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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NUMBER 18.

*Be it resolved by the House of Representatives*, That the Clerk be, and is hereby, directed to prepare and cause to be laid on the desk of each member of the House, on every Monday morning, a revised calendar of the House, showing the business of the House, every resolution and bill, by whom introduced, and the action of the House thereon.

Adopted January 18th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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NUMBER 19.

WHEREAS, It being necessary for the safe keeping of the bills and resolutions of this House;

*Be it resolved by the House of Representatives*, That the Chief Clerk of the House be, and is hereby, di-

rected to purchase and have placed in the room occupied by the Engrossing Clerk, a suitable safe, to be used for the purposes above stated.

*Be it further resolved*, That said safe shall not cost exceeding one hundred dollars.

Adopted January 18th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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## NUMBER 20.

*Be it resolved by the House of Representatives*, That the Sergeant-at-Arms furnish the Clerk with a list of the members who have accepted the stamps provided for in House Resolution No. 10, and that the Clerk read the same in open session, and that the same be published in the House Journal.

Adopted January 19th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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## NUMBER 21.

*Be it resolved by the House of Representatives*, That hereafter, when there are any documents to be distributed by the members among their constituents, the Sergeant-at-Arms shall place an equal number on the desk of each member.

Adopted January 20th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 22.

WHEREAS, it is with great difficulty that members sitting on the extreme of the hall can hear those addressing the House from the opposite side of the hall; therefore,

*Be it resolved by the House of Representatives,* That when any member of the House rises at his desk and wishes to address the House on any bill or resolution, and is entitled to the floor by the recognition of the Speaker, he shall have the privilege of addressing the House from and in front of the reporter's table.

Adopted January 27th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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NUMBER 23.

*Be it resolved by the House of Representatives,* That one thousand dollars be appropriated for refurnishing the committee rooms and securing new curtains for the hall.

*Be it further resolved,* That the committee heretofore appointed to investigate cost be empowered to have said work done, and said amount be included in general appropriation bill.

Adopted January 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 24.

*Be it resolved by the House of Representatives, That the Committee on Ways and Means be instructed to include in the list of taxable privileges all professional base-ball clubs playing in this State, and the keeping of grounds for the playing of base-ball where an entrance or admission fee is charged, and fix the tax on the same.*

*Adopted January 29th, 1887.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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NUMBER 25.

*Be it resolved by the House of Representatives, That the Superintendent of the School for the Blind for the State be invited to bring his band of blind boys on Monday, 21st, 10:30 A. M., to give the members of this House one of those rare musical entertainments which so much delighted and entertained past General Assemblies.*

*Adopted February 14th, 1887.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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NUMBER 26.

*Be it resolved by the House of Representatives, That there be a committee of two appointed by the Speaker, to investigate the number of wholesale and*

retail liquor dealers in the State, and the amount of revenue derived from the same, with power to investigate cause or causes of delinquency, if any.

Adopted February 15th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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### NUMBER 27.

*Be it resolved by the House of Representatives, That the Speaker of the House of Representatives be, and is hereby, authorized and directed to continue the services of Journal Clerk during the session of the Legislature, to assist the Clerk in preparing the Journal each day, and to assist the Engrossing Clerk, whenever an assistant is necessary to keep up the work of the Engrossing Clerk, the Committee on Enrolled Bills to determine when assistance is necessary to be rendered the Engrossing Clerk.*

Adopted February 15th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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### NUMBER 28.

WHEREAS, Certain accounts have been presented to the Superintendent of Capitol, for material furnished for Capitol grounds; and,

WHEREAS, There is no fund for payment of the same; therefore,

*Be it resolved by the House of Representatives, That the accounts be referred to the Committee on Public Grounds and Buildings, for investigation and action.*  
*Adopted February 17th, 1887.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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### NUMBER 29.

WHEREAS, The Congress of the United States has power to regulate interstate commerce, and no power to regulate commerce within the State; and,

WHEREAS, Each State has power to regulate all commerce and transportation beginning and ending within the limits of the State; therefore,

*Be it resolved by the House of Representatives, That the Committee on Railroads be instructed to draft and report to this House, as soon as practicable, a bill to regulate transportation, trade, and commerce, within the State, which bill shall be in conformity with the reason and policy of the bills passed by Congress, known as the Reagan and Cullom bills.*

*Adopted February 17th, 1887.*

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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### NUMBER 30.

WHEREAS, The House of Representatives have by a vote expressed a desire to divide the seats and desks by lot, or by drawing for the same; and,

WHEREAS, The resolution adopted for said purpose has been declared insufficient for that purpose; therefore,

*Be it resolved by the House of Representatives, That twenty-five desks be placed on each side of the aisle, and numbered on the east, or Democratic side of the aisle, beginning with one and going to and including twenty-five; and that the desks on the west, or Republican side of the aisle, be numbered likewise from one to twenty-five; that the members of the House, being seated on both sides of the aisle, the Clerk shall call the roll of the House for the purpose of reseating the members on the Democratic side, and the first member called on the Democratic side, if present, and if he is not, his desk-mate, shall draw through a boy from a box of tickets well mixed and numbered to correspond with the numbers on the desks, for himself and desk-mate; and if there should be any two members absent who have been occupying the same desk, when one of their names is called a number shall be drawn as if they were present, and their names put on the desk corresponding to or bearing the same number of the ticket drawn for them; and so on until all the members who were sitting on the Democratic side when the drawing commenced are reseated under this drawing, and the members shall occupy the desk bearing the same number as the ticket drawn for them on the side of the House then being drawn for.*

*Be it further resolved, That the Republican side of the House, consisting of the Republicans and such other members of the House as have not been reseated under the resolution as above provided, shall be arranged by the Clerk in a list, alphabetically, which list shall be called alphabetically, and the drawing for the seats on the west, or Republican side of the House shall commence and continue in the same manner and the same way as provided in this resolution for the Democratic side of the House, until all the members are seated.*

*Be it further resolved, That the Sergeant-at-Arms shall number the desks above provided for as soon after the adoption of this resolution as practicable, and that the Speaker put this resolution into effect without unnecessary delay.*

Adopted February 18th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 81.

*Be it resolved by the House of Representatives,* That the Superintendent of the Capitol be directed to furnish a drop-light from the main chandalier in the Hall, for the use of the Clerk and Speaker of the House of Representatives, the cost of which to be provided for in the general appropriation bill.

Adopted February 18th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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NUMBER 82.

WHEREAS, The Comptroller states in his report to the present General Assembly, pages 56 and 57, that the Knoxville and Ohio Railroad, the Mobile and Ohio Railroad, the Nashville, Chattanooga and St. Louis Railroad (Northwestern Divison), are exempt from taxation; and,

WHEREAS, The said roads have a grand total of three hundred and forty-five miles of railroad, and that the assessed value of said roads amounts to five million sixty-seven thousand three hundred and ninety-five dollars; and,

WHEREAS, The State is in need of all the revenue she can get; therefore,

*Be it resolved by the House of Representatives,* That the Railroad Committee shall inquire whether said companies are exempt from taxation, and if so, when said exemption expires, and make their report to this House.

Adopted February 18th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 38.

WHEREAS, The complimentary concert given last night by the Alliance Club to the members of this body was in every respect a success, and very much enjoyed by those who were present; therefore,

*Be it resolved by the House of Representatives,* That we do hereby tender our sincere thanks to the members of the club for the very interesting and successful concert, and that it is the sense of this body that they deserve great credit for the advancement that they have made in music. We cheerfully commend them to the favorable consideration of the public, and bespeak for them a bright future.

Adopted February 18th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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NUMBER 34.

*Be it resolved by the House of Representatives,* That a vote of thanks of the members of the House of Representatives be, and the same is hereby, tendered to members of the band for the School of the Blind, for their very excellent musical concert just given us, and that it is the sense of this body that they deserve very great credit for the advancement they have made in the science of music, and that we hereby pledge our sympathetic support for their future advancement.

Adopted February 21st, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 35.

*Be it resolved by the House of Representatives,* That the hall of the House of Representatives and committee rooms are hereby tendered the Biennial Movable Committee of the Grand United Order of Odd Fellows in America, for the purpose of holding their grand session, beginning October 3d, 1888, and continuing one week.

Adopted February 28d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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NUMBER 36.

WHEREAS, There is a large amount of work before this House to be done, and there only remains about twenty-eight days until the close of the present session; therefore,

*Be it resolved by the House of Representatives,* That hereafter night sessions shall be held respectively on Monday, Wednesday, and Friday nights of each week until the close of the present session, commencing at 7:30 p. m.; *Provided,* That nothing in this resolution shall be so construed as to prevent the House from holding night sessions oftener, if desired and found practical.

Adopted March 2d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 37.

*Be it resolved by the House of Representatives, That hereafter the morning sessions of the House shall commence at 9 A. M., continue until 12 o'clock ; the afternoon session shall commence at 2 P. M., and continue until 5 o'clock P. M.*

Adopted March 14th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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NUMBER 38.

*Be it resolved by the House of Representatives, That the use of the hall of the House of Representatives be, and the same is hereby, granted on the night of the 24th inst., for the purpose of having an address to be delivered by the Hon. John Sherman.*

Adopted March 22d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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NUMBER 39.

WHEREAS, The Hon. Arch. P. Green has kindly offered to the members of this House the free use of his beautiful steamer, the John Fowler, on which to make an excursion trip to the Hermitage, but owing to the press of business before this House, it is impracticable and unwise to take said trip ; therefore,

*Be it resolved by the House of Representatives, That its thanks be returned to Hon. A. P. Green for the kind invitation aforesaid, which we all regret we are unable to accept.*

Adopted March 23d, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 40.

WHEREAS, By House resolution passed at a former day of this session, R. Odlum, Jno. P. Buchanan, and H. B. Lindsay, were appointed a committee to repair and refurnish the hall of the House of Representatives and the committee rooms of the same; and,

WHEREAS, Said committee have performed the duties assigned them under said resolution, and have still on hand \$15 in cash and an account on B. F. Andrews for old carpets, \$6.50; therefore,

*Be it resolved by the House of Representatives, That the chairman of said committee be, and is hereby authorized, to pay over to the Treasurer of the State said sum of money, and turn over to him the account of \$6.50, and take his receipt for the same, which shall be a complete discharge to said committee for the same.*

*Be it further resolved, That the thanks of the House be, and the same are hereby, tendered to said committee for their able and efficient services.*

Passed March 28th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 41.

*Be it resolved by the House of Representatives, That, a committee of three (3) on the part of the House be appointed by the Speaker to notify the Governor that the hour fixed for the adjournment of the Forty-fifth General Assembly is near at hand, and to know of His Excellency whether or not he has any further communications to make.*

Adopted March 29th, 1887.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

32—Acts.

STATE OF TENNESSEE,  
OFFICE OF THE SECRETARY OF STATE,  
NASHVILLE, April 16th, 1887. } }

I, JOHN ALLISON, Secretary of State of the State of Tennessee,  
do hereby certify that I have carefully collated the foregoing  
Acts and Resolutions, with original copies on file in my office,  
and find them correctly printed.

JOHN ALLISON,  
*Secretary of State.*



# CORPORATIONS

*Organized under Chapter 143, Acts of 1875, known as the "Charter Act," and Acts Amendatory, Published Herein by Direction of Section 30 of said Charter Act.*

NAME OF CORPORATION.	County where Registered.	When registered in Secretary of State's Office.	In what Book.	No. of Page.
Ancient Order of Hibernians.....	Davidson.....	Jan. 9, 1885	I	255
Alpha Sigma Literary Society.....	Blount.....	Mar. 13, 1885	I	267
Agnes Morris Normal High School.....	Grundy.....	Nov. 18, 1885	I	311
Amateur Athletic Association.....	Shelby.....	Dec. 21, 1885	I	321
Arminda School House Association.....	Knox.....	Jan. 6, 1886	I	325
Awalt Marble Company.....	Coffee.....	Nov. 5, 1886	J	29
Ancient Knights of Crusades.....	Shelby.....	June 8, 1886	K	262
Arkansas River Packet Company.....	Shelby.....	July 6, 1885	K	287
Agricultural Wheel of the State of Tennessee.....	Weakley.....	" 10, 1885	K	292
Askins & Dierck Lumber Company.....	Tipton.....	Nov. 9, 1885	K	380
Alabama & Tennessee Railroad Company.....	Montgomery.....	Oct. 15, 1886	F	95
Abrams Creek Roofing Slate Company.....	Monroe.....	Sept. 29, 1886	N	4
Board of Trust for Superannuated Preachers.....	Montgomery.....	Jan. 7, 1885	I	257
Brownsville District High School.....	Haywood.....	Feb. 14, 1885	I	265
Brunswick Academy.....	Shelby.....	Feb. 20, 1885	I	266
The Bethpage Academy.....	Franklin.....	Mar. 26, 1885	I	275
The Bartlett School for Boys and Girls.....	Shelby.....	June 24, 1885	I	290
Bolivar Theater Company.....	Hardeman.....	Feb. 9, 1886	I	328
The Bodine Academy.....	Humphreys.....	Mar. 27, 1886	I	340
The Buckeye Mutual Fire & Insurance Company.....	Richland, O.....	Oct. 11, 1886	I	362
Bristol Street Car Company.....	Sullivan.....	Dec. 1, 1886	J	45
Board of Trustees of Hudson's School House.....	Cooke.....	Jan. 10, 1885	K	158
Building, Savings, and Loan Association of McMinnville.....	Warren.....	April 7, 1885	K	219
Bank of Maryville.....	Blount.....	May 9, 1885	K	223
Bank of Dresden.....	Weakley.....	Aug. 26, 1885	K	333
Baltimore & Ohio Telegraph Company.....	Shelby.....	Oct. 27, 1885	K	372
Banner-News Publishing Company.....	Bradley.....	Nov. 23, 1885	K	388
Bank of Henry.....	Henry.....	Mar. 3, 1886	K	454
Bank of Middle Tennessee.....	Wilson.....	Aug. 25, 1886	K	587
Bank of Bolivar.....	Hardeman.....	Oct. 1, 1886	K	592
Bristol & South Atlantic Railroad Company.....	Sullivan.....	Dec. 11, 1886	F	101
Baltimore, Nashville & Memphis Railway.....	Davidson.....	Dec. 14, 1886	F	102
Bank of Martin.....	Weakley.....	April 6, 1886	Vol. 1.	4
Bank of Winchester.....	Franklin.....	May 26, 1886	Vol. 1.	7
Chilhowee Club of the City of Knoxville, Tenn.....	Knox.....	Mar. 19, 1885	I	272
Center Academy for the Support and Advancement of School and Education.....	Decatur.....	" 19, 1885	I	273
Confederate Historical Association.....	Shelby.....	July 10, 1885	I	295
Clarksville District Literary & Industrial School.....	Montgomery.....	Aug. 15, 1885	I	300
Car Drivers Union No. 1 of Memphis, Tenn.....	Shelby.....	Sept. 13, 1885	I	301
The Cumberland Club of the Town of Winchester.....	Franklin.....	Feb. 16, 1886	I	330
Calvary Baptist Church of Knoxville, Tenn.....	Knox.....	Mar. 8, 1886	I	336
Carpenters & Builders Association of Memphis, Tennessee.....	Shelby.....	May 28, 1886	I	345
The Central Aid Society.....	Oblon.....	July 15, 1886	I	349
Capital City Mutual Fire Insurance Company.....	Davidson.....	Sept. 28, 1886	I	350
The Christian Church Building Association.....	Knox.....	Oct. 23, 1886	I	363
Clarksville Electric Light Company.....	Montgomery.....	Sept. 11, 1886	J	12
Cleveland Street Railway Company.....	Bradley.....	Nov. 16, 1886	J	36
Chattanooga Base-ball Association.....	Hamilton.....	" 27, 1886	J	41

NAME OF CORPORATION.	County where Registered.	When registered in Secretary of State's Office.	In what Book.	No. of Page.
Chattanooga Investment Company.....	Hamilton	Dec. 4, 1886	J	44
Catoosa Springs Company.....	Hamilton	Dec. 18, 1886	J	55
Caney Fork Coal & Iron Company.....	Coffee	Dec. 27, 1886	J	56
Click's School House.....	Cocke	Feb. 25, 1885	K	122
Cleveland Life Mutual Association.....	Bradley	Mar. 30, 1885	K	287
Centenary Female College.....	Bradley	Apr. 4, 1885	K	217
Chickasaw Guards.....	Shelby	Apr. 18, 1885	K	230
Cedar Bluff Marble M'fg and Railway Company.....	Knox	May 2, 1885	K	241
Congregation Baut Israel.....	Madison	May 18, 1885	K	252
Clara Conway Institute.....	Shelby	June 2, 1885	K	255
Cedar Springs Academy.....	Knox	June 12, 1885	K	273
Columbia Banking Company.....	Maury	July 16, 1885	K	301
Church & Fartherland Streets Ferry Company.....	Davidson	Sept. 9, 1885	K	357
Chilhowee Institute.....	McMinn	Oct. 14, 1885	K	370
Chattanooga & Mission Ridge Street Railroad Co.....	Hamilton	Nov. 21, 1885	K	386
Citizens Street Railway Company.....	Knox	Jan. 23, 1886	K	422
Citizens Gas Light Company.....	Shelby	Mar. 9, 1886	K	458
Citizens Water Company.....	Shelby	Apr. 12, 1886	K	473
Chattanooga Natural Gas Light & Heating Co.....	Hamilton	May 6, 1886	K	484
Centreville Peanut Reclaiming & Storage Co.....	Hickman	May 27, 1886	K	507
Chattanooga Stone & Ore Company.....	Hamilton	June 16, 1886	K	515
Cumberland Iron & Wire Works.....	Davidson	June 18, 1886	K	519
Chattanooga Water Company.....	Hamilton	June 21, 1886	K	529
Chattanooga University.....	Hamilton	July 8, 1886	K	534
Clinton High School Company.....	Anderson	Sept. 11, 1886	K	577
Columbia Street Railway Company.....	Maury	Sept. 16, 1886	K	583
Chattanooga & St. Elmo Railway Company.....	Hamilton	Feb. 27, 1885	F	68
Cumberland Railroad Company.....	Davidson	Apr. 21, 1885	F	73
Central Tennessee Railway Company.....	Morgan	Dec. 8, 1885	F	79
Cumberland & Allegany Railroad Company.....	Calborne	Sept. 8, 1886	F	93
Chattanooga & Southeastern Railroad Company.....	Hamilton	Dec. 20, 1886	F	103
Cumberland Valley & Unaka Railway Company.....	Davidson	Dec. 21, 1886	F	104
Cincinnati & Birmingham Railroad Company.....	Overton	Dec. 31, 1886	F	107
City Savings Bank.....	Hamilton	Sept. 28, 1886	Vol. 1.	9
Citizens Bank of Rogersville.....	Hawkins	Jan. 11, 1887	Vol. 1.	11
Chattanooga Land Company.....	Hamilton	Sep. 28, 1886	N	1
Cotton-wood Lumber & Manufacturing Co.....	Shelby	Jan. 1, 1887	N	8
Dickson Academy.....	Dickson	Feb. 12, 1885	I	264
The Dresden Academy.....	Weakley	Mar. 13, 1885	I	265
Dayton Masonic College.....	Rhea	Feb. 11, 1885	K	185
De Soto Lever Company.....	Shelby	Dec. 2, 1885	K	392
Decatur Cemetery.....	Meigs	Apr. 20, 1886	K	479
Decatur Charcoal Chemical Works.....	Davidson	Oct. 7, 1886	K	595
Dran, Lilly Coffee & Spice Company.....	Shelby	Nov. 3, 1886	K	614
Dowling Furnace Company.....	Hamilton	Nov. 13, 1886	K	623
Dynamograph Company of the U. S.....	Davidson	Nov. 24, 1886	K	636
Donnell Springs.....	McNairy	Nov. 24, 1886	K	636
Dayton City Bank.....	Rhea	Dec. 10, 1886	Vol. 1.	10
The East Tennessee Historical Society.....	Knox	Mar. 16, 1885	I	271
Edwards Academy.....	Jefferson	Nov. 11, 1885	I	310
Edgewood Normal School.....	Dickson	Nov. 24, 1885	I	315
Erin Polytechnic Institute.....	Houston	Dec. 23, 1885	I	322
Excelsior Coal Company.....	Anderson	Nov. 5, 1886	J	33
Ellemac Coal Company.....	Shelby	Nov. 26, 1886	J	39
East Tennessee Insurance Company.....	Knox	Mar. 2, 1885	K	196
Eagle Milling & Manufacturing Company.....	Shelby	June 16, 1885	K	274
East Tennessee Building & Loan Association.....	Washington	July 28, 1885	K	316
Exchange & Deposit Bank of Johnson City.....	Washington	Sept. 4, 1885	K	336
East Tennessee Wesleyan University.....	McMinn	Feb. 3, 1886	K	446
Exchange & Deposit Bank.....	Hawkins	Feb. 20, 1886	K	449
Equitable Gas Light Company.....	Shelby	Mar. 11, 1886	K	462
Els Mout Springs Company.....	Giles	May 10, 1886	K	486
Eureka Manufacturing Company.....	Shelby	Oct. 5, 1886	K	504
Ewing River Coal & Coke Company.....	Roane	Apr. 9, 1885	F	71
Equitable Building & Loan Association.....	Shelby	Dec. 6, 1886	N	7
Friends of Charity.....	Smith	Feb. 28, 1886	I	267
The Fairview Academy.....	Rhea	July 3, 1885	I	293
Farmington Normal Academy.....	Marshall	July 4, 1885	I	294
First Baptist (col'd) Church of Clarksville, Tenn.....	Montgomery	Aug. 13, 1885	I	299
Friendship Institute.....	Crockett	Nov. 25, 1885	I	316
Fudge Chapel.....	Hawkins	Feb. 25, 1886	I	333
Flat Wood Academy.....	Lawrence	Jan. 2, 1885	K	356

NAME OF CORPORATION.	County where Registered.	When registered in Secretary of State's Office.	In what Book.	No. of Page.
Fisk Academy.....	Overton.....	Mar. 2, 1885	K	196
Franklin-McPhail Saddlery Company.....	Davidson.....	Mar. 18, 1885	K	208
First Corporate Colonization & M'g Company.....	Cumberland.....	May 11, 1885	K	237
Fountainhead Improvement Company.....	Knox.....	July 22, 1885	K	305
Farmers Union .....	Shelby.....	Oct. 9, 1885	K	375
Ferguson Champion Mining Drill Company.....	Hamilton.....	May 22, 1886	K	498
Fairfield No. 96.....	McNairy.....	June 21, 1886	K	524
Factors Fire Insurance Company .....	Shelby.....	July 30, 1886	K	549
Franklin Foundry & Manufacturing Company.....	Knox.....	Nov. 25, 1886	K	634
French Broad Railway Company.....	Knox.....	Aug. 7, 1886	F	89
German Family Song and Social Union.....	Davidson.....	Jan. 9, 1885	I	254
German Evangelical Lutheran Beneficial Society for the purpose of visiting, aiding, and supporting the members of said Society.....	Knox .....	Jan. 10, 1885	I	258
The German Association for the Benefit of Widows and Orphans.....	Davidson.....	Jan. 24, 1885	I	260
The Grand National Society of the Colored Race of the United States .....	Hamilton .....	May 18, 1885	I	284
Golden Star Club .....	Davidson.....	May 22, 1885	I	285
The Good Shepherd of the Golden Grain.....	Shelby.....	Nov. 13, 1885	I	312
The Garfield Club of Knoxville, Tenn.....	Knox .....	Nov. 27, 1885	I	317
The Grand Independent Order of Benevolence of Tennessee.....	Summer .....	Mar. 16, 1886	I	338
Grayson Marble Company.....	Monroe.....	Dec. 14, 1886	I	54
Grubbs Cracker Company.....	Davidson.....	July 3, 1885	K	284
Greeneville Tobacco Warehouse Company.....	Greene.....	July 22, 1886	K	308
Grand United Sons and Daughters of Zion.....	Hamilton .....	Sept. 14, 1885	K	360
Gallatin Stock Store Company.....	Summer .....	Nov. 25, 1885	K	390
Guaranty Fund Life Insurance Society .....	Hamilton .....	June 5, 1886	K	511
Glenn Haven School.....	Davidson .....	Nov. 11, 1886	K	617
Grand View Cemetery.....	Hamilton .....	Nov. 22, 1886	K	628
Greeneville & Western North Carolina Railroad Co.....	Greene.....	Jan. 29, 1886	F	82
Grundy Building Association.....	Grundy.....	July 28, 1886	N	1
Greeneville Building Association.....	Greene.....	Oct. 22, 1886	N	5
The Hamilton.....	Hamilton .....	Mar. 20, 1885	I	274
Highland Seminary of Tullahoma, Tenn.....	Coffee.....	May 22, 1885	I	286
Huntsville Academy for the purpose of educating the youth.....	Scott.....	June 19, 1885	I	289
The Home and Labor Aid Society.....	Hickman.....	June 26, 1885	I	292
The Howard Library.....	Davidson .....	Oct. 23, 1885	I	809
Hospital of the Good Shepherd.....	Davidson .....	Apr. 8, 1886	I	342
Hermitage Suspender Company.....	Davidson .....	Sept. 30, 1886	J	17
Hope Oil Mills.....	Shelby.....	Nov. 13, 1886	J	35
Hermitage Fire Insurance Company.....	Davidson .....	Dec. 4, 1886	J	46
Hollywood Cemetery.....	Madison .....	Dec. 28, 1886	J	60
Havron Institute.....	Marion.....	Mar. 30, 1885	K	210
Hermitage Guards.....	Davidson .....	May 22, 1885	K	257
Hollywood Cemetery.....	Bedford .....	June 8, 1885	K	264
Henderson Male and Female College.....	Chester .....	Nov. 9, 1885	K	382
Herring High School.....	Lauderdale .....	Dec. 21, 1885	K	407
H. Weiter Manufacturing Company.....	Shelby.....	Sept. 13, 1886	K	579
Hartsville Turnpike Company.....	Wilson.....	Mar. 20, 1885	F	69
International Dredging & Contract Company.....	Davidson .....	Sept. 8, 1885	K	848
Industrial Productive Construction Guild of				
Knight of Labor.....	Davidson .....	Jan. 27, 1886	K	480
Island Home Insurance Company.....	Knox .....	May 27, 1886	K	508
Iron Mountain Railroad Company.....	Shelby.....	Aug. 31, 1886	F	92
Jointed Sons and Daughters of Zion.....	Hamilton .....	Oct. 6, 1885	I	305
The Jackson Free Library Association.....	Madison .....	Feb. 12, 1886	I	329
Johnson School House .....	Hawkins .....	Apr. 12, 1886	I	848
Johnsonville Academy.....	Humphrey .....	Feb. 15, 1886	I	344
John F. Slater Industrial University.....	Montgomery .....	Nov. 22, 1886	J	37
Jonesboro Banking and Trust Company.....	Washington .....	Apr. 8, 1886	K	471
Jellico & Cumberland Gap Coal, Iron Railroad Co.....	Campbell.....	Aug. 16, 1886	F	90
K. K. Adath Yesreal (holy congregation of the assembly of Isreal).....	Davidson .....	Mar. 8, 1886	I	387
Knoxville Land & Improvement Company .....	Knox .....	Dec. 7, 1886	J	47
Knoxville Park Association.....	Knox .....	July 13, 1885	K	295
Kemker-Woolwine Candy & Cracker Company .....	Davidson .....	Aug. 3, 1885	K	320
Knoxville Boom Company.....	Knox .....	July 21, 1886	K	588
Knoxville Brewing Association.....	Knox .....	July 28, 1886	K	545
Knoxville Boom Company.....	Cocke.....	Aug. 9, 1886	K	551

NAME OF CORPORATION.	County where Registered.	When registered in Secretary of State's Office.	In what Book.	No. of Page.
Knoxville Boom Company.....	Knox.....	Aug. 1, 1886	K	553
Knoxville Boom Company.....	Knox.....	Aug. 9, 1886	K	556
Knoxville Boom Company.....	Knox.....	Aug. 24, 1886	K	562
Kingston Presbytery.....	Hamilton.....	Oct. 18, 1886	K	602
Knoxville, Sevierville & Pigeon River Railroad Co.	Sevier.....	Apr. 16, 1885	F	72
Knoxville & Nashville Railroad Company.....	Knox.....	Dec. 9, 1886	F	96
The Love & Friendship Society of Tennessee.....	Hamilton.....	Apr. 28, 1885	I	282
Lynchburg Normal School.....	Moore.....	June 25, 1885	I	291
Life Seminary.....	Henderson.....	Oct. 10, 1885	I	306
London County Fair & Turf Association.....	London.....	Sept. 28, 1886	I	350
Lumber, Iron & Live Stock Company.....	Davidson.....	Sept. 1, 1886	J	3
Lebanon Hotel Company.....	Wilson.....	Sept. 2, 1886	J	9
Lake View Mineral Springs Company.....	Hamilton.....	Nov. 27, 1886	J	49
Little Missouri Manganese Iron & Coal Company.....	Shelby.....	Dec. 11, 1886	J	51
LaGrange Furnace Company.....	Davidson.....	Dec. 13, 1886	J	52
Ladies Aid Society.....	Davidson.....	Mar. 3, 1885	K	197
Lookout Homestead Association.....	Hamilton.....	June 11, 1885	I	269
Liberty Public School House.....	Jackson.....	Aug. 8, 1885	K	322
Lebanon College for Young Ladies.....	Wilson.....	Jan. 9, 1886	K	413
Memphis Cycle Club.....	Shelby.....	Jan. 24, 1885	I	361
The Mission Ridge High School.....	Hamilton.....	Apr. 9, 1885	I	279
Mossy Creek Female Academy.....	Jefferson.....	May 27, 1885	I	387
The Madison County Colored Agricultural and Mechanical Association.....	Madison.....	Aug. 8, 1885	I	296
Memphis Traveler's Club.....	Shelby.....	Oct. 15, 1885	I	307
Mt. Felita Academy.....	Weakley.....	Nov. 23, 1885	I	313
The Morning Sun Academy.....	Shelby.....	Nov. 27, 1885	I	319
The Macedonia School.....	Shelby.....	Feb. 25, 1886	I	332
Murfreesboro Seminary for Young Ladies and Children.....	Rutherford....	July 6, 1886	I	348
The Merchants Mutual Fire Insurance Company of Cincinnati, Ohio.....	Davidson.....	Aug. 2, 1886	I	350
Masonic Widow & Orphans Fund & Home.....	Davidson.....	Sept. 3, 1886	I	356
Mission Ridge Railroad Company.....	Hamilton.....	Sept. 4, 1886	J	10
Mission Ridge Land Company.....	Hamilton.....	Oct. 15, 1886	J	19
Mineral City Mining & Concentrating Company.....	Shelby.....	Oct. 18, 1886	J	21
Memphis Lumber & Manufacturing Company.....	Shelby.....	Oct. 28, 1886	J	59
Metcalf Manufacturing Company.....	Davidson.....	Jan. 15, 1885	K	162
Merchants & Manufactures Exchange of Columbia, Tennessee.....	Maury.....	Jan. 21, 1885	K	167
Maury & Hickman Turnpike Company.....	Maury.....	Mar. 11, 1885	K	202
Margaret McClung Industrial Home.....	Knox.....	Mar. 21, 1885	K	204
Mutual Real Estate & Home Building Association.....	Hamilton.....	June 10, 1885	K	266
Memphis Base-ball Association.....	Shelby.....	June 19, 1885	K	277
Manhattan Savings Bank.....	Shelby.....	July 6, 1885	K	289
Mabry, Hardie & Bell Avenue Street Railroad Co.....	Knox.....	Aug. 22, 1885	K	326
Memphis Teamsters Union.....	Shelby.....	Aug. 24, 1885	K	329
Memphis & Lakeview Motor Railroad Company.....	Shelby.....	Oct. 3, 1885	K	363
Morriston Building Association.....	Hamblen.....	Dec. 14, 1885	K	356
Mutual Aid Department of the Independent Order of Immaculates.....	Davidson.....	Dec. 19, 1885	K	402
Memphis Loan Office.....	Shelby.....	Jan. 8, 1886	K	413
Mifflin Male & Female Academy.....	Chester.....	Feb. 2, 1886	K	443
Memphis Exhibition Company.....	Shelby.....	Feb. 20, 1886	K	451
Memphis Builders & Traders Exchange.....	Shelby.....	Mar. 6, 1886	K	456
Mechanics Building & Loan Association.....	Knox.....	Mar. 13, 1886	K	464
Memphis Bridge Company.....	Shelby.....	Mar. 27, 1886	K	465
Mencci Telephone Company.....	Davidson.....	Apr. 21, 1886	K	481
Memphis Ladies Knights of L. C. M. Company.....	Shelby.....	June 4, 1886	K	510
Memphis Cider & Vinegar Company.....	Shelby.....	July 23, 1886	K	541
Maple Leon Cemetery.....	Washington.....	July 29, 1886	K	546
Mountain Spring Water Company.....	Hamilton.....	Sept. 28, 1886	K	559
Main St. & Lischy Ave. Street Railroad Company.....	Davidson.....	Oct. 9, 1886	K	559
Main St. & Gallatin Pike Street Railroad Co.....	Davidson.....	Oct. 23, 1886	K	609
Memphis & Raleigh Springs Railroad Company.....	Shelby.....	Mar. 28, 1885	F	76
Mount Lookout Railroad Company.....	Hamilton.....	July 16, 1885	F	74
Mission Ridge Railroad Company.....	Hamilton.....	Nov. 20, 1885	F	77
Memphis & Southeastern Railroad Company.....	Shelby.....	May 7, 1886	F	84
Middleton, Bolivar, Brownsville & Hickman Rail- road Company.....	Haywood.....	June 8, 1886	F	87
Memphis & Nashville Railroad Company.....	Davidson.....	Dec. 29, 1886	F	105
Mechanics Savings Bank.....	Davidson.....	Nov. 30, 1885	Vol. 1.	1

NAME OF CORPORATION.	County where Registered.	When registered in' Secretary of State's Office.	In what Book.	No. of Page.
Merchants Bank.....	Davidson .....	Aug. 27, 1886	Vol. 1.	8
Newcomb Academy and Institution of Learning for the purpose of literary undertakings.....	Campbell .....	Jan. 5, 1886	I	253
Nolensville Academy.....	Williamson .....	May 11, 1886	I	288
Nashville Musical Union.....	Davidson .....	Feb. 8, 1886	I	327
The Nashville Dispensary.....	Davidson .....	July 6, 1886	I	347
The Nashville Public School Teachers Association.....	Davidson .....	Sept. 26, 1886	I	358
Newcom Academy.....	Campbell .....	Dec. 4, 1886	I	365
The Negroes Protective Union.....	Shelby .....	Dec. 6, 1886	I	366
National Cotton Seed Oil & Huller Company.....	Shelby .....	Aug. 7, 1886	J	4
National Business Compact.....	Robertson .....	Aug. 24, 1886	J	7
Nashville Vehicle & Headlock & Coupling Co.....	Davidson .....	Sept. 27, 1886	J	14
Northwestern Construction Company.....	Shelby .....	Sept. 27, 1886	J	15
North Chattanooga Land Company.....	Hamilton .....	Oct. 15, 1886	J	20
Noly Chucky River Improvement & Booming Co.....	Unicoi.....	Oct. 25, 1886	J	23
Nashville Sulphur Spring & Sanitarium Company.....	Davidson .....	Oct. 28, 1886	J	25
Nashville Cable Railway.....	Davidson .....	Dec. 27, 1886	J	57
Nashville Burial Case Company.....	Davidson .....	Dec. 30, 1886	J	61
Nashville & Kentucky Turnpike Company.....	Davidson .....	Feb. 25, 1885	K	190
Nashville Trotting Horse Association.....	Davidson .....	Apr. 13, 1885	K	223
New Era Mill Company.....	Davidson .....	Apr. 16, 1885	K	236
Nashville Union Depot Company.....	Davidson .....	May 12, 1885	K	245
National Freedman Union.....	Shelby .....	June 25, 1885	K	311
Nashville Burial Case & Box Company.....	Davidson .....	Aug. 7, 1885	K	321
New Market Academy.....	Jefferson .....	Nov. 17, 1886	K	384
Nashville & Edgedfield Building & Saving Association.....	Davidson .....	Dec. 17, 1885	K	408
National League of Charity.....	Hickman .....	Sept. 28, 1886	K	586
Nashville, Clarksville & Hopkinsville Railroad Co.....	Montgomery .....	Sept. 29, 1886	F	94
Nashville Marginal Railway Co.....	Davidson .....	Nov. 6, 1886	F	96
Nashville Savings Bank.....	Davidson .....	Mar. 27, 1886	Vol. 1.	3
Nashville Savings Bank.....	Davidson .....	Apr. 10, 1886	Vol. 1.	5
Oak Hill Male & Female Academy.....	Montgomery .....	Apr. 14, 1885	I	281
The Oak Grove Academy.....	Humphreys .....	Aug. 6, 1885	I	298
Oakwood Institute.....	Houston .....	Mar. 1, 1886	I	336
Owe Printing Company.....	Rutherford .....	Feb. 10, 1885	K	182
Oak Grove School House.....	Henry .....	Apr. 16, 1886	K	477
Ohio Valley Railway Company.....	Madison .....	June 7, 1886	F	86
Pleasant Ridge Academy.....	Shelby .....	Mar. 14, 1885	I	270
Peoples Life Insurance Company.....	Davidson .....	Jnne 17, 1886	I	288
Peabody Boat Club.....	Shelby .....	Aug. 5, 1885	I	297
The Powell Valley Seminary for the support of a Scientific and Literary undertaking as a College or University.....				
The Protestant Episcopal Church Home.....	Knox .....	Sept. 21, 1885	I	302
The Phoenix Life Insurance Co. of Cincinnati, Ohio.....	Davidson .....	Mar. 24, 1886	I	339
Peoples Ice Company of Memphis.....	Davidson .....	Aug. 2, 1886	I	351
Peoples Mutual Live Stock Insurance Company.....	Shelby .....	July 30, 1886	J	3
Pearcy Cane & Corn Harvester Company.....	Davidson .....	Oct. 11, 1886	J	18
Peoples Street Railway Company.....	Davidson .....	Nov. 1, 1886	J	24
Prince Edward Mining Company.....	Davidson .....	Nov. 4, 1886	J	28
Perry Stove Manufacturing Company.....	Shelby .....	Dec. 11, 1886	J	50
Pleasant Hill Cemetery.....	Marion .....	Dec. 13, 1886	J	53
Peters & Sawrie.....	Greene .....	Jan. 19, 1886	K	420
Pada Chemical Company.....	Shelby .....	Jan. 28, 1886	K	438
Pendleton Drug Company.....	Tipton .....	May 22, 1886	K	495
Piney Falls Presbyterian Church.....	Davidson .....	Jan. 23, 1886	K	526
Public Square & Mt. Olivet Street Car Company.....	Rhea .....	July 28, 1886	K	543
Pigeon Valley Railroad Company.....	Davidson .....	Nov. 12, 1886	K	619
Powells Valley Railroad Company.....	Cocke .....	Dec. 2, 1885	F	78
Peoples Bank of Knoxville.....	Knox .....	July 22, 1886	K	88
The Russian Congregation Teloreb Isreal.....	Knox .....	May 7, 1886	Vol. 1.	6
The Roane College.....	London .....	Sept. 23, 1885	I	304
Robbins Coal & Mining Company.....	Roane .....	Jan. 8, 1886	I	326
Rankin Manufacturing Company.....	Cott .....	Aug. 24, 1886	J	6
Rockhill High School.....	Davidson .....	Nov. 5, 1886	J	30
Rock City Saddlery Company.....	Cocke .....	Apr. 2, 1885	K	215
Republican Gazette Company.....	Davidson .....	Jan. 18, 1885	K	417
Roan Mountain Railroad Company.....	Gibson .....	Aug. 18, 1886	K	560
Riverside Railroad Company.....	Carter .....	Jan. 17, 1885	F	67
Rossville & Chickamauga Street Railroad Co.....	Cocke .....	Jan. 23, 1886	F	81
Rossville Public School.....	Hamilton .....	Sept. 27, 1886	N	2
	Fayette .....	Nov. 24, 1886	N	6

NAME OF CORPORATION.	County where Registered.	When registered in Secretary of State's Office.	In what Book.	No. of Page.
Seven Stars of the Grand Assembly of the Brothers and Sisters Union.....	Shelby.....	Feb. 6, 1885	I	262
Stewart'sboro Academy.....	Rutherford.....	Apr. 4, 1885	I	277
Shelby Springs.....	Stewart.....	Jan. 5, 1885	I	284
St. Peters Orphan Association.....	Shelby.....	June 18, 1886	I	285
Supreme Lodge United Sons of Relief.....	Rutherford.....	Aug. 7, 1886	I	282
The Supreme Annual Council of the Knights of the Golden Links of the World.....	Davidson.....	Aug. 28, 1886	I	285
Sweetwater Seminary.....	Monroe.....	Dec. 3, 1886	I	284
Southern Horse Collar Coupling Association of Nashville.....	Davidson.....	July 15, 1886	J	1
Sequatchie Coal & Iron Company.....	Marion.....	Aug. 11, 1886	J	5
South Pittsburg Pipe Works.....	Marion.....	Oct. 21, 1886	J	22
Scofield Metal Cross Tie Company.....	Hamilton.....	Oct. 27, 1886	J	24
Stone Fort Land Company.....	Hamilton.....	Nov. 5, 1886	J	21
Star Dry Goods Company.....	Davidson.....	Dec. 3, 1886	J	43
South Pittsburg City Company.....	Marion.....	Dec. 3, 1886	J	43
Standard Charcoal, Iron & Chemical Company.....	Davidson.....	Dec. 7, 1886	J	49
Summer Street Cable Railway.....	Davidson.....	Dec. 28, 1886	J	58
Supreme Grand Lodge.....	Shelby.....	Feb. 6, 1885	K	177
Springfield & Mansker Turnpike Company.....	Davidson.....	Feb. 21, 1885	K	188
Slater Training School.....	Knox.....	May 20, 1885	K	226
Sordy Ridge Academy.....	Henderson.....	Dec. 11, 1885	K	386
Standard Charcoal Company.....	Davidson.....	Dec. 31, 1885	K	411
Sparks Rifles.....	Rutherford.....	Feb. 20, 1886	K	447
Shelby Colored Fair Association.....	Shelby.....	Jan. 12, 1886	K	513
Scottish Caroline Boom Company.....	Knox.....	Sept. 16, 1886	K	561
Southern Detective Agency.....	Hamilton.....	Dec. 20, 1886	K	645
Summertown Land Company.....	Maury.....	Dec. 28, 1886	K	646
Star Dry Goods Company.....	Davidson.....	Dec. 28, 1886	K	650
Shoal Creek Iron Company.....	Lawrence.....	Feb. 12, 1886	F	53
Scottish Bank.....	Cooke.....	Feb. 22, 1886	Vol. 1.	2
The Trustees of Bartlett Academy.....	Shelby.....	Apr. 6, 1885	I	278
Tracy City Academy.....	Grundy.....	Apr. 10, 1885	I	280
The Tennessee Confederate Memorial & Historical Association.....	Davidson.....	Nov. 24, 1885	I	314
The Tennessee Mutual Live Stock Association.....	Knox.....	Nov. 24, 1885	I	315
Tabernacle Association.....	Hamilton.....	Mar. 9, 1886	I	336
Tracy City News Company.....	Grundy.....	Sep. 4, 1886	J	11
Tennessee Star Publishing & Printing Company.....	Davidson.....	Sep. 15, 1886	J	13
Tennessee Gas, Fuel & Manufacturing Company.....	Madison.....	Nov. 1, 1886	J	36
Tullahoma Fair, Trotting & Blood Horse Association.....	Coffee.....	Nov. 6, 1886	J	22
Tennessee Valley Iron & Railroad Company.....	Shelby.....	Nov. 12, 1886	J	34
Tennessee Marble Company.....	Hamilton.....	Dec. 7, 1886	J	45
Trezevant Male & Female Institute.....	Carroll.....	Jan. 10, 1885	K	169
The Bank of Sparta.....	Warren.....	Jan. 23, 1885	K	170
The Union Publishing Company.....	Davidson.....	Feb. 3, 1885	K	174
The Jonesboro Educational Society.....	Washington.....	Feb. 7, 1885	K	180
The Great Southern Marble Company.....	Knox.....	Feb. 11, 1885	K	184
Tennessee Brewing Company.....	Shelby.....	Feb. 20, 1885	K	187
Tabler-Crudup Coal & Coke Company.....	Coffee.....	June 5, 1885	K	260
Tennessee Land Company.....	Shelby.....	Oct. 30, 1885	K	377
Trustees of Parrotsville High School.....	Cooke.....	May 14, 1886	K	493
Tuckaleechees Timber & Boom Company.....	Blount.....	Aug. 16, 1886	K	558
Tennessee Omega Chapter of the S. H. E. Fraternity.....	Franklin.....	Aug. 24, 1886	K	565
Troy & Tiptonville Railroad Company.....	Obion.....	Nov. 13, 1885	F	76
Tennessee Central Railway.....	Bedford.....	Nov. 15, 1886	F	97
Tennessee & North Carolina Railroad Company.....	Hamilton.....	Dec. 9, 1886	F	109
Tennessee Midland Railroad Company.....	Davidson.....	Dec. 28, 1886	F	166
Union Sons and Daughters of Noah.....	Davidson.....	Mar. 24, 1886	I	341
Union Female Seminary.....	Haywood.....	Aug. 11, 1886	I	353
Universal Aid Society.....	Madison.....	June 20, 1885	K	279
United States Dredging & Canal Construction Co.....	Davidson.....	Sept. 1, 1885	K	359
Universal Dynaphone Company.....	Davidson.....	May 17, 1886	K	489
Union Street Railroad Company.....	Shelby.....	Dec. 20, 1886	K	642
Union Railroad Company.....	Shelby.....	Jan. 20, 1886	F	86
Woodstock Academy of Shelby County.....	Shelby.....	Jan. 10, 1885	I	257
The Widows and Orphans Home.....	Davidson.....	Feb. 12, 1885	I	263
Walter Hill Lodge of the United Sons of Relief of Tennessee.....	Rutherford.....	Mar. 28, 1885	I	276
The Walsedge Academy.....	Fayette.....	Oct. 20, 1885	I	308
Walnut St. Christian Church of Chattanooga, Tenn.....	Hamilton.....	Dec. 10, 1885	I	329

NAME OF CORPORATION.	County where Registered.	When registered in Secretary of State's Office.	In what Book.	No. of Page.
The West Tenn. (col'd) Agricultural, Mechanical & Live Stock Association.....	Haywood .....	Dec. 20, 1886	I	323
Waverly College.....	Humphreys...	Oct. 4, 1886	I	361
Wabash Valley Protective Union .....	Montgomery..	Dec. 11, 1886	I	387
Whitesburg & Rogersville Telephone Company.....	Hawkins.....	Oct. 26, 1886	J	38
West Tennessee Manufacturing Company.....	Madison .....	Mar. 2, 1885	K	194
Wilson School House.....	Cocke.....	Mar. 27, 1885	K	205
Waldens Ridge Land & Improvement Company.....	Hamilton .....	May 15, 1885	K	248
Winchester Rifles.....	Franklin.....	May 20, 1885	K	254
Wartrace Male & Female Institute.....	Bedford.....	June 29, 1885	K	281
West Tennessee Christian College.....	Chester.....	Aug. 10, 1886	K	224
West Tennessee Immigration & Real Estate Association.....	Obion.....	Jan. 23, 1886	K	428
Workingman's Building & Savings Association.....	Knox.....	Oct. 25, 1886	K	612
West Tennessee & Great Northern Railroad Co .....	Obion.....	Oct. 9, 1885	F	75
Zion Seminary.....	Obion.....	May 16, 1885	K	250

Respectfully submitted,

JOHN ALLISON,

*Secretary of State and Ex Officio Turnpike Commissioner.*



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# INDEX.

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# INDEX TO ACTS.

INDEX.	Chap	Page.	Sec.
<b>A</b>			
Academy, Huntsville, sale authorized, proceeds, how disposed of-----	98	189	1
Act to give land owners lien on crops, etc., for supplies-----	171	296	1
Act to protect miners-----	206	336	1
Act to provide for organization of corporation for building, locating towns, etc-----	36	107	1
Act to regulate practice in partition cases-----	183	310	1
Adulteration of candy, to prevent sale of-----	33	104	1
Advertising, legal, to make uniform the price when publication required-----	229	390	1
Amendment to Constitution, submitting proposed to people-----	86	167	1
An Act for the relief of tax-payers-----	82	161	1
An Act making plaintiffs liable to Sheriffs in certain cases-----	244	409	1
An Act to allow partial redemptions of real estate-----	82	161	1
An Act to protect game birds in certain counties-----	71	150	1
An Act to prevent joint stock companies from impairing or infringing upon the rights of their servants-----	208	338	1
Acts of 1881, Chapter 127, Section 4, amended in regard to municipal corporations-----	239	399	1
Appropriations for years 1887 and 1888-----	223	355	1
Assessing property in taxing districts, law amended-----	23	95	1
Assessment law-----	2	24	1
<b>B</b>			
Back-tax, Haynes heirs relieved of certain -----	95	187	1
Barbering, misdemeanor to carry on on Sunday-----	106	195	1
Bedford County, game laws as to amended-----	130	228	1
Benton County attached to Eleventh Judicial Circuit -----	94	185	1
Birds, protection of in Johnson, Carter, Washington, and other counties-----	71	150	1
Blount fraction of Loudon County relieved -----	66	144	1
Blountville Circuit Court, change time of holding-----	152	263	1
“Bluff City,” name of “Union” changed to-----	115	208	1
Bobo, Samuel, for benefit of-----	108	197	1
Bonds, Chattanooga may issue-----	123	217	1
Bonds, city of Jackson may issue one hundred thousand dollars in-----	125	223	1
Bonds, Humphreys County may issue to build free bridge over Duck River-----	96	188	1
Bonds, Knox County may issue to fund certain warrants-----	140	243	1
Bonds, Knoxville authorized to issue for sewerage purposes-----	114	206	1
Bonds, Rutherford County may issue to build jail-----	124	221	1
Bonds, Union City may issue to build Court-house and jail-----	122	216	1
Boundaries of taxing district in Shelby County established-----	19	89	1
Bridges, municipal corporations to protect public interest in-----	63	140	1
Bristol, to enlarge powers of Mayor and Aldermen relating to subscriptions to stock in railroads-----	88	178	1

INDEX.	Chap.	Page.	Sec.
Brownsville Manufacturing Co. authorized to issue bonds -----	145	249	1
Burning of woods a misdemeanor -----	234	395	1
<b>C</b>			
Camden, corporate limits extended -----	138	241	1
Carroll County, time of holding Chancery Court changed -----	7	66	1
Cattle, diseased, to prevent importation of -----	243	407	1
Central Benefit Association, charter of amended -----	101	192	1
Chancellor of Third Division authorized to try civil causes on Circuit Court docket in Hamilton County -----	13	75	4
Chancery Court, fixing time for holding in Jackson County -----	120	228	1
Chancery Court, fixing time of holding in Third Division -----	13	75	1
Chancery Courts in certain counties of Third Division may be held by Circuit Judge of Fourth Circuit -----	13	75	4
Chancery Court, time of holding in Second Division changed -----	92	182	1
Chancery Courts in Fourth Division, change time of holding -----	144	247	1
Chancery Courts, Seventh Chancery Division, time of holding changed -----	5	63	1
Chancery Court, Ninth Division, time of holding in changed -----	111	201	1
Chancery Court, Carroll County, time of holding changed -----	7	66	1
Chancery Court, time of holding in Davidson County changed -----	25	96	1
Chancery Court, time of holding in Lauderdale County changed -----	17	87	1
Chesapeake, Ohio and Southwestern Railroad Company. Act confirming purchase of franchises, etc., of Mississippi River Railroad Company -----	175	299	1
Charleston, Cincinnati and Chicago Railroad Company authorized to operate its road and pledge its property, etc -----	214	345	1
Charter, city of Jackson amended, authorizing issuance of bonds -----	125	223	1
Charter, Holly Springs, Brownsville and Ohio Railroad Company, repealed -----	93	84	1
Charter of Somerville amended -----	113	103	1
Charter, form of for canning and packing company -----	241	403	1
Charter, form of for merchants -----	139	242	1
Charter, merchants may procure -----	139	242	1
Charter, McLeoresville abolished -----	97	189	1
Charter of Central Benefit Association amended -----	101	192	1
Charter of Dover repealed -----	137	249	1
Charter of Fair Association -----	199	331	1
Chattanooga authorized to grant site for Custom-house -----	6	64	1
Chattanooga, creating a Board of Public Works for -----	123	217	1
Chattanooga, may issue five hundred thousand dollars in bonds for specified purposes -----	123	217	1
Chattanooga, to amend charter of -----	200	332	1
Chattanooga, to enable to improve streets, sewerage, etc -----	123	217	1
Chattanooga to exempt islands and towheads from taxation within its corporate limits -----	173	298	1
Circuit Court, time of holding in Fifth Circuit changed -----	12	73	1
Circuit Court, time of holding in Sixth Circuit changed -----	8	67	1
Circuit Court, time of holding in Eleventh Circuit changed -----	94	185	2
Circuit Court, time of holding in Twelfth Circuit changed -----	94	186	3
Circuit Court, time of holding in Sumner County in Tenth Circuit changed -----	14	79	1
Civil causes on Circuit Court docket of Hamilton County, Chancellor Third Division may try -----	13	75	1

INDEX.	Chap.	Page.
Clarksville corporate limits extended -----	72	15
Clerks of various courts to keep Supreme Court Reports in their offices -----	246	41
Clerks prohibited from charging fees for certificates for pensioners -----	170	29
Cleveland & Ducktown Railroad, the act to incorporate repealed -----	69	14
Code (M. & V.), Section 882 repealed -----	177	30
Code (M. & V.), Section 1263 to 1272 inclusive amended as to street railroads -----	189	32
Code (M. & V.), Section 1679 amended in regard to qualified voters of town or city -----	239	39
Code (M. & V.), Sections 1720-1721 amended in reference to corporations whose charters have expired -----	197	32
Code (M. & V.), amended Section 1900, allowing majority of incorporators to organize -----	4	6
Code (M. & V.), Sections 2159 and 2160 amended in reference to stock wintering on the lands of another person -----	67	14
Code (M. & V.), Section 2277 amended in regard to burning of woods -----	234	39
Code (M. & V.), Section 2746 amended, mechanics' lien -----	85	16
Code, Section 3285 to 3288 (M. & V.), amend the laws of descent and distribution -----	151	26
Code, Section 3384 amended, allowing guardians to loan money of their wards on mortgages -----	245	41
Code (M. & V.), Section 4780 amended in regard to militia, etc. -----	211	34
Code (M. & V.), Section 5314 repealed in regard to pensioners getting free certificates -----	170	29
Code, Section 5336 (M. & V.) amended to make uniform price of legal advertising -----	229	39
Code, Section 5490 (M. & V.) amended in regard to persons disposing of property -----	44	11
Code (M. & V.), Section 6309 amended, regulating collection of Jailers' fees -----	242	40
Coal mines, for the ventilation of and protection of human life therein -----	247	41
Cocke County Court, the act to authorize to issue bonds amended -----	222	35
Coffee County detached from Third Chancery Division and attached to Fourth -----	201	33
Columbia, city of, charter amended so as to allow the qualified voters to elect City Recorder, etc. -----	168	29
Compensation of officers holding elections -----	62	13
Compensation of Trustees for collecting taxing district taxes -----	11	7
Consolidation, to provide for of proposed railroad lines not competing -----	188	32
Constitution, submitting proposed amendment to vote of people -----	86	16
Contractors and sub-contractors, with mechanics' lien given for work done -----	85	16
Corporations authorized to collect their own taxes on merchants and privileges -----	37	10
Corporations, charter of Farmers' and Laborers' Mutual Association -----	238	39
Corporations, charter of all gas companies amended -----	176	30
Corporations, form of charter, etc., for live stock association -----	163	28
Corporations for encouragement of immigration, locating and building towns, etc. -----	36	11

INDEX.	Chap.	Page.	Sec.
Corporations, law amended so that merchants may incorporate	139	242	1
Corporations, municipal of 36,000 inhabitants, to issue bonds for water-works	182	308	1
Corporation, to extend corporate limits of Nashville	120	214	1
Corporation, to amend charter of Milan, and enlarge powers of Mayor and Aldermen	118	211	1
Corporations, to define powers of	190	323	1
Corporations whose charters have expired, and exist by virtue of statute	197	328	1
Corporations empowered to lease and dispose of their property, etc	198	329	1
Corporations, foreign, subject to suit in this State	226	386	1
Corporations, providing for organization of companies for manufacturing, canning, and packing vegetables, etc	241	403	1
Corporation, limits of Camden extended	138	241	1
Corporation of Greenfield abolished	90	180	1
Corporation of Huntingdon abolished	133	232	1
Corporation of Johnson City amended	20	90	1
Corporation of McLemoresville abolished	97	189	1
Corporation limits of McMinnville extended	100	191	1
Corporation limits of Morristown extended	134	232	1
Corporation of New Market amended	87	170	1
Corporation of Sevierville established and government provided	135	233	1
Cosby & Brother, for relief of	112	102	1
Counties authorized to issue bonds of a certain character in order to provide for a sinking fund, etc	154	265	1
County Court, jurisdiction given to enforce vendors liens under fifty dollars	141	244	1
County Court of Knox County may issue bonds for certain purposes	140	243	1
County Court to declare persons once of unsound mind of sound mind, and restore to them their property	149	259	1
Counties, how to subscribe stock in railroads	3	57	4
County Judge of Humphreys County, to provide for election of	162	281	1
County Judge of Knox County, office of created	148	258	1
County Judge, office of created in Overton County	164	285	1
County Courts, an act to govern in all elections and appointments	180	307	1
County Court of Humphreys County authorized to issue bonds to build bridge over Duck River	96	188	1
County Court of Rutherford County authorized to issue bonds to build jail	124	221	1
County Court of Cocke County to issue bonds, acts of amended	222	354	1
County Judge for Marshall County	84	163	2
County line between Anderson and Campbell changed	35	106	1
County lines, to establish between Anderson and Roane	127	226	1
County line between Bedford and Coffee changed	207	337	1
County lines, to change between Bedford and Moore	108	197	1
County line between Blount and Sevier changed	51	121	1
County line between Campbell and Scott changed	46	118	1
County line between Cannon and DeKalb changed	228	389	1
County lines, to establish between Carter and Sullivan	21	91	1
County line between Claiborne and Union changed	45	117	1
County lines, changed between Clay and Jackson	102	192	1
County line between Clay and Pickett changed	52	122	1
County line between Crockett and Dyer changed	194	326	1

INDEX.	Chap	Page.	Sec.
County lines changed between Dickson and Cheatham -----	105	195	1
County line between Dickson and Montgomery changed-----	50	121	1
County lines, to establish between Cheatham and Montgomery-----	116	208	1
County line between DeKalb and Putnam changed-----	192	324	1
County line between DeKalb and White changed-----	193	325	1
County lines, to establish between Dickson and Montgomery-----	116	208	1
County lines changed between Franklin and Moore -----	104	194	1
County lines, to change between Gibson and Crockett-----	128	227	1
County lines, to change between Gibson and Madison -----	119	213	1
County line between Giles and Maury changed-----	205	335	1
County line between Grainger and Union changed-----	49	120	1
County lines changed between Hawkins and Hamblen-----	30	102	1
County lines, to change between Knox and Sevier -----	132	231	1
County line between Knox and Union changed-----	47	119	1
County line between Lawrence and Wayne changed-----	204	334	1
County lines changed between Lincoln and Moore -----	99	190	1
County line between Meigs and McMinn changed -----	202	333	1
County line between Monroe and Loudon changed -----	196	327	1
County line between Monroe and McMinn changed -----	196	327	1
County line between Montgomery and Cheatham established-----	75	154	1
County lines, to establish between Montgomery and Dickson -----	116	208	1
County line between Williamson, Maury, and Marshall changed-----	48	119	1
County line between Overton and Putnam changed -----	195	327	1
County line between Overton and Putnam changed -----	212	343	1
County lines, to change between Robertson and Montgomery-----	110	200	1
County lines changed between Rutherford and Wilson -----	18	88	1
County lines, to change between Sevier and Knox -----	136	240	1
County line between Smith and DeKalb changed -----	53	123	1
County line between White and Putnam changed -----	203	334	1
County line between Williamson and Maury changed-----	42	115	1
County lines changed between Wilson and Rutherford-----	18	88	1
County line between Union and Claiborne changed -----	227	388	1
County lines changed between VanBuren and Sequatchie-----	163	193	1
County Trustee of Shelby County authorized to sell vacant school lot at Raleigh-----	231	393	1
Coupons detached, Funding Board to fund-----	126	225	1
Court-house, Knox County may issue bonds to fund warrants issued to build-----	140	243	1
Court-house, Union City may issue bonds to build-----	122	216	1
Courts, time of holding in Coffee County fixed-----	201	332	1
Courts, time of holding Chancery in Jackson County fixed-----	129	228	1
Courts, to change time of holding Chancery Court in Davidson County -----	25	96	1
Courts, changing time of holding Chancery Court in Carroll County -----	7	66	14
Courts, change time of holding Chancery Court in Dyer County -----	83	162	1
Courts, time of holding Chancery Court in Louderdale County changed -----	17	87	1
Courts, Chancery, change time of holding for Lincoln County-----	181	307	1
Courts, Fourth Chancery Divison, change the time of holding-----	144	247	1
Courts, Chancery, change time of holding in Mashall County-----	213	344	1
Courts, in Ninth Circuit, change time of holding-----	54	123	1
Courts, time of holding in Ninth Chancery Division changed-----	111	201	1
Courts, changing time of holding in Second Chancery Division-----	92	182	1
Courts, time of holding Chancery in Seventh Division changed-----	5	63	1

INDEX.	Chap.	Page.	Sec.
Courts, Chancery, time of holding in Third Division changed-----	13	75	1
Courts, Chancery, for Tipton County, change time of holding-----	169	295	1
Courts, Circuit at Blountville, change time of holding-----	152	263	1
Courts, time of holding in Fourth Circuit changed-----	13	75	4
Courts, time of holding Circuit in Fifth Circuit changed-----	12	73	1
Courts, time of holding in Eleventh Judiciary Circuit-----	94	185	2
Courts, Circuit of Knox County, time of holding changed-----	235	396	1
Courts, Circuit, change time of holding in Rutherford, Bedford, and Marshall-----	213	344	1
Courts, time of holding in Twelfth Circuit changed-----	94	186	3
Courts, time of holding in Sixth Circuit changed-----	8	67	1
Courts, time of holding Circuit Court in Sumner County changed-----	14	79	1
Courts, Circuit and Criminal, to change the practice in regard to putting criminal juries under the rule-----	158	269	1
Court, special, established at Dayton-----	109	198	1
Circuit Judge of Fourth Circuit authorized to hold certain Chancery Courts in Third Chancery Division-----	13	75	4
Criminal law amended, false pretense-----	31	102	1
Criminal law, misdemeanor to carry on barbering on Sunday-----	106	195	1
Custom-house, Chattanooga authorized to grant site for-----	6	64	1
Covington, charter of amended-----	60	134	1
<b>D</b>			
Dandridge, charter of town repealed-----	32	103	1
Dayton, special court established at-----	109	198	1
Deer, for protection of in Johnson and Sullivan Counties-----	232	393	1
Defendants in criminal causes to testify in their own behalf-----	79	158	1
Descent and distribution, to amend the laws of-----	151	263	1
Dibrell Normal Institute, Trustees of Nourse Seminary author- ized to transfer said academy property to-----	221	353	1
Diseased cattle, to prevent importation of into State-----	243	407	1
Dover, charter of repealed-----	137	240	1
Drugists, relieving from tax as liquor dealers under laws of 1881-2, 1883-4, 1885-6-----	89	179	1
Dyersburg, authorized to borrow money-----	230	391	1
Dyer County, change time of holding Chancery Court-----	83	162	1
<b>E</b>			
East Tennessee Hospital for the Insane, appropriating money for benefit of-----	150	261	1
Elections, compensation of officers holding-----	62	139	1
Election, time changed for officials of Somerville-----	113	203	1
<b>F</b>			
Fair Association, charter of-----	199	331	1
False pretense to give false certificate as to cattle pedigree, etc.-----	31	102	1
Farmers' and Laborers' Mutual Association, charter of-----	238	398	1
Fish law amended, and to protect fish in spawning time-----	143	246	1
Fish law, Sections 2234-2238, 2243 of the Code repealed-----	154	264	1
Fire insurance companies, act to regulate business of amended-----	187	316	1
Flynn's Lick, charter of abolished-----	77	155	1
Foreign corporations subject to suit in this State-----	226	386	1

INDEX.

	Chap.	Page.	Sec.
Franklin and Carter's Creek Turnpike Co., the act to incorporate amended	78	156	1
Franklin, town of incorporated and authorized to collect taxes for municipal purposes	22	93	1
Funding Board authorized to fund detached coupons	126	225	1
Fulton, charter of amended	29	101	1
<b>G</b>			
Gallatin authorized to build water-works and issue bonds therefor	210	341	1
Gallatin, Mayor and Aldermen of authorized to borrow \$15,000	9	69	1
Gallatin, Murfreesboro & Birmingham Railway Company, charter of amended to allow the same to consolidate and change name	219	351	1
Game laws amended as to Bedford County	130	228	1
Game, protection of in Johnson, Carter, Sullivan, Washington, etc., Counties	71	150	1
Gas companies, charters of amended	176	302	1
Gas, taxing districts may regulate gas companies and prices	91	181	1
Greenfield, charter of abolished	90	180	1
Gregory, Henry, for relief of	107	196	1
Guardians allowed to loan wards' money on mortgage	245	410	1
Gynn, J. G., for benefit of	110	200	1
<b>H</b>			
Habeas corpus cases give parties right to appeal to Supreme Court	157	268	1
Haynes, M. T., for relief of heirs of	95	187	1
Holly Springs, Brownsville & Ohio Railroad Company, charter repealed	93	184	1
Hospitals for the insane, defining duties of Treasurers	43	116	1
Humphreys County, to provide for election of County Judge	162	281	1
Huntingdon, corporation of abolished	133	232	1
Humboldt, charter of amended	68	147	1
Humphreys County authorized to issue bonds to build bridge over Duck River	96	188	1
Huntsville Academy, sale of authorized	98	189	1
Incline cog railways may incorporate	16	82	1
Incorporated cities or towns, how to subscribe stock in railroad	3	57	4
Incorporated companies		499	-----
Incorporators, majority may organize	4	62	1
Insane Hospital for West Tennessee, amending Act providing for	131	229	1
Insane Hospitals, duties of Treasurers	43	116	1
Insane Hospital West Tennessee, one hundred and fifty thousand dollars appropriated to complete	131	229	1
Insane persons, County Court may declare of sound mind and restore to them their property	149	259	1
Insanity, Justices of the Peace may be removed for	142	245	1
Insurance, Bureau of established, and to regulate mutual or assessment insurance	178	303	1
Insurance companies, to regulate business of fire, act amended	187	316	1
Intoxicating liquors not to be sold near any school-house	167	293	1
Islands in the corporate limits of Chattanooga exempt from taxation	173	298	1

INDEX.	Chap.	Page.	Sec.
<b>J</b>			
Jackson, city of, may issue one hundred thousand dollars in bonds-----	125	223	1
Jail, County Court may issue bonds to build-----	124	221	1
Jail, Union City may issue bonds to build-----	122	216	1
Jailors' fees, to regulate collection of-----	242	405	1
Jackson County, to fix time of holding Chancery Court in-----	129	228	1
Jackson, Supreme Court-room, appropriation for-----	56	127	1
Johnson City authorized to issue bonds-----	58	129	1
Joint stock companies, to prevent them infringing upon the properties of their employes-----	208	338	1
Joint tenant to dispose of property, etc-----	185	314	1
Johnson City, amending charter of-----	20	90	1
Judge, creating County Court Judge for Marshall County-----	84	163	2
Jurisdiction ceded to United States over sites for locks and dams near Nashville-----	121	215	1
Jurisdiction conferred on County Courts to enforce vendors' liens under fifty dollars-----	141	244	1
Justices of Peace may be removed for imbecility-----	142	245	1
Justices of Peace prohibited from charging fees for certificates for pensioners-----	170	295	1
Justices of the Peace required to attend Quarterly Courts-----	236	396	1
<b>K</b>			
Keely, W. C., for relief of-----	40	113	1
Knox County, authorized to issue bonds to fund certain outstanding warrants-----	140	243	1
Knoxville, authorized to issue bonds to establish system of sewerage-----	114	206	1
Knoxville, charter of amended in reference to compensation of Aldermen-----	70	149	1
Knox County Circuit Court, time of holding changed-----	235	396	1
Knox County, to regulate the office of superintendent of work-house-----	184	310	1
Knox County, office of County Judge created-----	148	258	1
<b>L</b>			
Laborers, to regulate wages of, etc-----	156	267	1
Land office at Jackson, for the preservation of mutilated records-----	186	315	1
Lebanon & Nashville Turnpike Company, charter of amended-----	74	153	1
Lebanon & Sparta Turnpike Company, charter of amended-----	215	347	1
Legal advertising, to make uniform the price when publication required-----	229	390	1
Lien, declared in favor of mechanics, contractors, sub-contractors, material furnished-----	85	165	1
Lien, mechanic's, amended-----	85	165	1
Lien, vendor's, may be enforced in certain cases in County Court-----	141	244	1
Live stock associations, charters of, etc-----	163	283	1
Lincoln County Chancery Court, time of holding changed-----	181	307	1
Livingston, charter of abolished-----	76	156	1
Locks and dams, United States may purchase sites for-----	121	215	1

INDEX.	Chap.	Page.	Sec.
Lookout Turnpike Company, the act to amend repealed-----	69	148	1
Loudon County, for the relief of Blount fraction-----	66	144	1
Lunatics, conferring jurisdiction on County Courts to declare them of sound mind and restore to them their property-----	149	259	1
<b>M</b>			
Magistrates, for the removal of under certain circumstances-----	142	245	1
Material, furnished to mechanics, a lien on property-----	85	105	1
Marshall County, creating County Judge for-----	84	163	2
Mayor and Aldermen, powers of in Milan enlarged-----	118	211	1
Mayor and Aldermen of Chattanooga may issue bonds by vote of the people-----	123	217	1
Mayor and Aldermen of Dyersburg authorized to borrow money for erecting and furnishing school buildings-----	230	391	1
Mayor and City Council of taxing districts may make repairs, etc.-----	28	100	1
Mechanics' lien law amended -----	85	165	1
Medon, charter of repealed-----	73	152	1
Memphis, city of, granted hospital grounds-----	67	128	1
Merchants may incorporate business-----	139	242	1
Middleburg, act to incorporate amended-----	72	151	1
Miners, for protection of-----	206	336	1
Milan, town of, boundaries extended-----	26	97	1
Milan, to amend charter of in reference to streets, sidewalks, etc.-----	118	211	1
Military Bill amended so as to include musicians, etc.-----	211	343	1
Militia of the State, to organize, and for government of the same-----	159	270	1
Misdemeanor to barber on Sunday-----	106	195	1
Mississippi River Railroad Company, act confirming sales of rights and franchises to the Chesapeake, Ohio & South-western Railroad Company -----	175	299	1
McLemoresville, charter abolished-----	97	189	1
McMinnville, limits of corporation extended-----	100	191	1
Morristown, corporate limits extended-----	134	232	1
Municipal corporations embracing territories of cities with a population of 36,000, in regard to natural gas companies-----	179	306	1
Municipal corporations of 36,000 population to issue bonds for water-works-----	182	308	1
Municipal corporation to collect own taxes on merchants and privileges-----	37	108	1
Municipal corporation to compromise and fund indebtedness and provide for payment of same, amended-----	41	114	1
Municipal corporations to fund indebtedness upon certain conditions-----	61	137	1
Municipal corporations to protect public interest in free bridges and approaches-----	63	140	1
Murfreesboro authorized to issue bonds for protection against fire-----	38	109	1
<b>N</b>			
Nashville, to extend corporate limits of-----	121	215	1
Natural gas company granted use of streets and alleys-----	179	306	1
Newbern, town of, incorporated-----	224	371	1
New Market, charter of amended-----	87	170	1
Nourse Seminary, Trustees of authorized to transfer said academy property to Dibrell Institute-----	221	353	1
Nuisances, Mayor and City Council of taxing districts may define-----	28	100	1

INDEX.	Chap.	Page.	Sec.
O			
Overton County, office of County Judge created-----	164	285	1
Owners of land lien on crops for supplies-----	171	296	1
P			
Parties defendant in criminal causes to testify in their own behalf-----	79	158	1
Parties litigant to employ stenographer-----	217	349	1
Partition cases, to regulate practice in-----	183	310	1
Partridges, unlawful to trap or net in Bedford County from 1st March to 15th September-----	130	228	1
Patterson, Joseph, house and lot included in corporation of Pulaski-----	237	397	1
Plaintiff liable for commission of Sheriffs, etc., in certain cases-----	244	409	1
Pleuro-Pneumonia, to prevent importation of diseased cattle-----	243	407	1
Prohibit sale of intoxicating liquors near any school-house-----	167	293	1
Prohibition, amendment submitted to vote of people-----	86	167	1
Protection of workmen in the purchase of store goods and supplies-----	155	266	1
Puplic Schools, act to appoint arbor-day for planting of trees, etc-----	172	297	1
Public Works, Board of created for Chattanooga-----	123	217	1
Pulaski and Brick Church Turnpike Co., to amend charter of Pulaski, charter of amended and Public School system provided-----	174	299	1
Pulaski, to change corporation line of and to include House of Joseph Patterson-----	27	99	1
237	397	1	
R			
Randall Cole Industrial School, to provide for management of, etc-----	165	286	1
Railroad, Charleston, Cincinnati and Chicago, empowered to construct, operate, and pledge its property, etc-----	214	345	1
Railroad, Cleveland and Ducktown, act to incorporate repealed-----	69	148	1
Railroad companies, authorized to change termini-----	39	112	1
Railroad, repeal of charter of Holly Springs, Brownsville and Ohio-----	93	184	1
Railroad, Whitesburg and Galbraith Springs Railway, for relief of-----	191	324	1
Railroad, Mississippi River Railroad Company, transfer of rights, etc., to Chesapeake, Ohio and Southwestern Railroad Company-----	175	299	1
Railroads chartered in other States allowed to extend their lines in this State-----	160	279	1
Railroad companies to provide comfortable waiting rooms at stations where tickets are sold-----	160	279	1
Railroads, enlarging powers of Mayor and Aldermen of Bristol relating to subscriptions to stock in-----	225	385	1
Railroads, to provide for consolidation of lines not competing-----	88	178	1
Railway Company of Gallatin, Murfreesboro, and Birmingham, charter of amended-----	188	320	1
Railways, inclined or cog, may charter-----	219	351	1
Raleigh, Male Academy lot authorized to be sold-----	16	82	1
231	393	1	

INDEX.	Chap.	Page.	Sec.
Regulate practice in partition cases-----	183	310	1
Belief of workmen in the purchase of store goods and supplies-----	155	266	1
Revenue, to provide for, for State and counties-----	1	5	1
Rutherford County, may issue bonds to build jail-----	124	221	1
<b>S</b>			
Sale of Huntsville Academy-----	98	189	1
School District established in Wilson County-----	216	348	1
School, Pulaski may provide public for town of-----	27	99	1
Scrip, to compel firms, etc., engaged in mining that use scrip to redeem their scrip in lawful currency of the United States-----	209	340	1
Sevierville incorporated, municipal government provided-----	135	233	1
Sewerage, Chattanooga authorized to issue bonds for, and construct-----	123	217	1
Sewerage, Knoxville may issue bonds for-----	114	206	1
Sewers, taxing districts may construct-----	24	96	1
Shelbyville, charter of amended-----	80	158	1
Shelbyville, to abolish ward lines of, and elect Mayor and Aldermen by voters-----	81	160	1
Somerville, charter amended-----	113	203	1
Somerville, time of electing officers in changed-----	113	203	1
Soldiers who have lost both legs, etc., relief of-----	34	105	1
Standard weights and measures established-----	240	400	1
State debt, act settling amended as to detached coupons-----	126	225	1
Stenographer, to permit parties litigant to employ-----	217	349	1
Street railroad companies, act for incorporation of amended-----	65	143	1
Street railroads, powers, etc., extended-----	189	321	1
Street railway companies authorized to extend lines beyond limits of towns and cities-----	15	80	1
Submission, prohibition amendment to be voted on-----	86	167	15
Subscription to stock in railroads, powers of Mayor and Aldermen of Bristol-----	88	178	1
Subscription to stock in railroads by counties, cities and towns, how made-----	3	57	1
Supreme Court Reports, where to be kept-----	246	410	1
Supreme Court-room at Jackson, appropriation for-----	56	127	1
<b>T</b>			
Tax, druggists relieved from as liquor dealers for the years 1881-2, 1883-4, 1885-6-----	89	179	1
Taxes, to authorize Memphis to assess and collect for years 1887-8-----	10	71	1
Taxing districts, an act to amend bill establishing so as to compel lot owners to make safe and proper sidewalks, etc-----	233	394	1
Taxing districts, act establishing amended-----	91	181	1
Taxing districts, act establishing amended in reference to assessing property-----	23	95	1
Taxing districts, authorized to build, own, purchase, and operate electric light plant, for lighting public grounds, etc-----	64	142	1
Taxing districts, authorized to compromise and fund its indebtedness, amended-----	41	114	1
Taxing districts, bill establishing amended so as to allow to build water-works, lay pipes, etc-----	147	252	1
Taxing districts, bill establishing same amended-----	218	350	1

INDEX.	Chap.	Page.	Sec.
Taxing districts, certain authorized to regulate price of gas--	91	181	1
Taxing district taxes, compensation for collecting-----	11	72	1
Taxing districts, Mayor and Council may declare or define nuisances-----	28	100	1
Taxing districts, may construct sewers-----	24	96	1
Taxing districts, powers of enlarged as to gas companies and price of gas-----	91	181	1
Taxing district of Shelby County, amending act fixing bound- aries of-----	19	89	1
Taxing district of Shelby County, to assess and collect taxes for years 1887-8-----	10	71	1
Taxing districts, to enlarge police force of, and to extend their powers-----	59	133	1
Tax-payers, for the relief of-----	82	161	1
Tenant, misdemeanor to dispose of personal property, etc-----	185	314	1
Tennessee City, the act to incorporate-----	166	289	1
Tipton County Chancery Court, time of holding changed-----	169	295	1
Turkeys, wild, unlawful to trap or net in Bedford County from 1st of May to 15th of September-----	130	228	1
Turnpike companies, for benefit of between towns and rail- road depots-----	161	280	1
Turnpike Company, Lebanon and Sparta charter of, amended-----	215	347	1
Turnpike, Franklin and Carter's Creek, the Act to incorporate amended-----	78	156	1
Turnpike, Lebanon and Nashville, the Act to incorporate amended-----	74	153	1
Turnpikes, Lookout Turnpike Company, Act to amend re- pealed-----	69	148	1
Turnpike, to amend charter of Pulaski and Brick Church Turnpike Company-----	174	299	1
Treasurer of University of Tennessee empowered to accept and apply certain grants of moneys-----	220	352	1
Trustees, compensation of, for collecting taxes of taxing dis- tricts-----	11	72	1
<b>U</b>			
Union, name of (in Sullivan County), changed to "Bluff City."	115	208	1
Union City may issue bonds to build Court-house and jail-----	122	216	1
Union County authorized to issue bonds-----	55	124	1
University of Tennessee, Treasurer of empowered to accept and apply certain grants of moneys-----	220	352	1
United States may purchase certain lands for specified purposes	121	215	1
<b>V</b>			
Vendor's lien under fifty dollars may be enforced in County Courts-----	141	244	1
<b>W</b>			
Wages of laborers regulated, etc-----	156	267	1
Ward, W. E., for relief of-----	117	210	1
Weights and measures, uniform standard of-----	240	400	1
West Tennessee Insane Hospital, Building Commissioners con- tinued-----	131	230	4

INDEX.	Chap.	Page.	Sec.
West Tennessee Hospital for the Insane, to amend chapter providing for organization of-----	146	249	1
West Tennessee Insane Hospital, money appropriated to complete-----	131	229	1
West Tennessee Land Office, for preservation of records and make certified copies-----	186	315	1
Whitesburg and Galbraith Springs, Railway Company, for relief of-----	191	324	1
Wilson County, to establish School District in-----	216	348	1
Woods burning of, a misdemeanor-----	234	395	1
Work-house of Knox County, to regulate office of Superintendent-----	184	310	1
Workmen, for the protection of in the purchase of store goods and supplies-----	155	266	1

## HOUSE JOINT RESOLUTIONS.

SUBJECT.	No.	Page.
Adjournment of Legislature for ten days' recess-----	13	442
Books of Comptroller to be examined-----	2	433
Commissioner of Agriculture, a committee to examine accounts of-----	6	436
Commissioners of the Insane Hospital in West Tennessee-----	24	450
Comptroller to issue warrant in favor of Overstreet-----	26	452
Counting votes cast for Governor-----	3	434
Erection of fence around monument to Gen. Merriwether Lewis-----	20	447
For the sale of lands belonging to State-----	35	460
Furnish Supreme Court Reports to Pickett and Chester Counties-----	32	457
Directory to the Funding Board-----	33	458
Governor's message in reference to boundary line between Tennessee and Virginia-----	29	455
In reference to University of Tennessee-----	14	443
Inserting correct date of issuance in bonds-----	25	451
National Cotton Plauters' Association of America-----	10	439
National Educational Association, use of hall to them-----	31	457
Programme of inauguration-----	9	438
Provide for appointment of Board of Visitors to the University-----	27	453
Providing for a change in the Constitution-----	23	449
Public road law, in reference to-----	18	446
Recommending appropriation of \$100 to purchase Bibles, etc., for main prison-----	34	459
Reference to cotton tax, directory to Representatives in Congress-----	17	445
Reference to Treasurer's report-----	11	441
Reference to Treasurer's report-----	7	436
State Agricultural Bureau, a committee to inquire into-----	15	444
State Librarian, election of-----	1	433
Thanks tendered ladies for decorating hall for inauguration-----	12	442
Thanks to Ward's Seminary for excellent entertainment-----	22	449
The inauguration of the Governor-----	4	434
To adjourn on Tuesday, 29th of March, at 12 M.-----	36	462
To pay C W Crockett, Assistant Clerk, the balance due him-----	37	462
Treasurer and Comptroller to constitute a Funding Board-----	28	454
Trustees appointed for Deaf and Dumb School at Knoxville-----	16	444
University of Tennessee, in reference to allowing colored cadets to enter-----	30	456
University of Tennessee, in regard to-----	21	448
World's Exposition at Birmingham, in reference to-----	8	437
World's Exposition at New Orleans, requesting Commissioner to give statement of expenditure of the \$10,000 appropriated-----	5	435

## HOUSE RESOLUTIONS.

SUBJECT.	No.	Page.
Accounts, certain, referred to Committee on Public Grounds-----	28	489
Adjournment, fixing time of-----	41	497
Alliance Club, commended to the public-----	33	493
Appropriation to furnish committee rooms-----	23	487
Band of Blind School invited to hall-----	25	488
Blind School Brass Band, extending thanks to-----	34	493
“Biennial Movable Committee of the Grand United Order of Odd Fellows in America,” granted use of hall-----	35	494
Clerk, assistant, directory to-----	12	482
Committee rooms, refurnishing-----	9	480
Clerk, chief, directory to-----	19	485
Clerk, chief, directory to-----	18	485
Directory to committee to repair and refurnish Hall of Representatives-----	40	496
Directory to Ways and Means Committee-----	24	488
Finch, Jno. B., hall tendered to-----	10	481
Greene, A. P., thanks of House tendered to-----	39	495
Journal Clerk, to appoint-----	1	477
Journal Clerk, services of continued-----	27	489
Labor, committee on-----	7	480
Liquor dealers, committee appointed in reference to-----	26	488
Members may address House from front of Speaker’s desk-----	22	487
Ministers of the gospel, to secure services to open deliberation, etc.-----	3	478
Night sessions, time fixed-----	36	494
Organization of House, to notify Governor of-----	2	477
Railroads, directory to committee on-----	29	490
Railroads, with reference to those claiming exemption from taxation-----	32	492
Rules, Committee on-----	5	479
Seats, mode of drawing-----	30	490
Secretary of State, directory to-----	16	484
Sherman, Hon. John, use of hall tendered to-----	38	495
Sergeant-at-Arms, directory to-----	8	480
Sergeant-at-Arms, directory to-----	11	481
Sergeant-at-Arms, directory to-----	13	482
Sergeant-at-Arms, directory to-----	14	483
Sergeant-at-Arms, directory to-----	15	484
Sergeant-at-Arms, directory to-----	17	485
Sergeant-at-Arms, directory to-----	20	486
Sergeant-at-Arms, directory to-----	21	486
Sessions of House fixed-----	37	495
Superintendent of Capitol, directory to-----	31	492
Treasurer, directory to-----	4	478
Vaughn, E. R., death of-----	6	479

## SENATE JOINT RESOLUTIONS.

SUBJECT.	No.	Page.
Civil Districts created in Scott and Morgan Counties-----	10	427
Centennial anniversary of Cincinnati-----	9	426
Inaugural ceremonies-----	2	421
Land Registers, election of-----	6	424
Logan, Jno. A., the death of-----	4	422
Prohibition amendment agreed to-----	7	424
Public buildings and grounds, directory to committee-----	3	422
Public Printer instructed to print officers' Reports-----	8	425
Public Printer to print 5,000 copies of the Acts-----	15	431
School for the Blind, Trustees of authorized to convey to adjoining proprietor-----	12	428
Secretary of State to furnish election blanks-----	13	429
Secretary of State instructed to exchange Code-----	11	428
Senators, for the election of from the States to the United States Senate-----	1	419
Torbett issue, committee from Senate and House authorized to destroy-----	14	430
Treasurer and Comptroller, fixing day of election of-----	5	423
University of Tennessee commended to all, etc-----	16	431

## SENATE RESOLUTIONS.

SUBJECT.	No.	Page.
After February 15th, Senate to open at 9:30 A. M. and adjourn at 1 P. M.	20	472
Chief Clerk to prepare calendar	14	470
Clerk authorized to inform the House that the Senate is now organized	3	466
Comptroller to draw his warrant in favor of John Terry	8	467
Concerning Mexican soldiers	24	474
Complimentary to Col. E. W. Cole	25	474
Confirmation of F. M. Smith	18	471
Discussion in Senate limited to fifteen minutes	26	475
In regard to debates	21	472
Assistant Clerk to prepare roster	22	473
Prepare rules for government of Senate	1	465
Secretary of State to furnish Codes	10	468
Sergeant-at-Arms to turn over proceeds from carpet to Comptroller.	23	473
Sergeant-at-Arms to buy water cooler	19	472
Sergeant-at-Arms to keep a flag up	11	468
Sergeant-at-Arms to receive Senate mail during recess	16	470
Sergeant-at-Arms to mark Senate chairs	13	469
Speaker authorized to appoint two porters	2	465
Speaker's desk	27	476
Thanks to T. C. Long for services as temporary Speaker		466
To Sergeant-at-Arms, furnish members with stamps	5	466
To the Sergeant-at-Arms, to purchase stoves	7	467
To Sergeant-at-Arms, as to distribution of public documents	9	468
To Sergeant-at-Arms, to purchase chairs, etc.	12	469
To Sergeant-at-Arms, to take up carpet	17	471
To notify the Governor that the Houses are now organized	6	467
To organize Labor Committee	15	470

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